

ZONING CHANGE REVIEW SHEET

CASE: C14-2019-0055 (Austin FC)

P. C. DATE: May 14, 2019

ADDRESS: 10414 McKalla Place and 10617 ½ Burnet Road

DISTRICT AREA: 7

OWNER/APPLICANT: City of Austin-Economic Growth & Redevelopment Department
(Greg Kiloh)

AGENT: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.)

ZONING FROM: LI-NP, NBG-NP **TO:** LI-PDA-NP **AREA:** 24.16 acres

The applicant is asking for the following conditions in this rezoning request (Please see Application Letter- Attachment A):

- 1) The development of the Property shall comply with applicable City of Austin rules, regulations and ordinances as of the effective date of this zoning ordinance.
- 2) LI (Limited Industrial Services District) zoning uses, as well as the following uses, shall be permitted in the LI-PDA zoning for the Property:

| | | |
|-------------------------|------------------------|-------------------------|
| <u>Residential Uses</u> | <u>Commercial Uses</u> | <u>Civic Uses</u> |
| Multifamily Residential | Cocktail Lounge | Club or Lodge |
| | Outdoor Entertainment | Transportation Terminal |

- 3) To prohibit the following uses under the Planned Development Agreement:

| | | |
|--|--------------------------------------|-------------------------------|
| <u>Commercial Uses</u> | <u>Industrial Uses</u> | <u>Civic Uses</u> |
| Agricultural Sales and Services | Basic Industry | Group Home, Class I (General) |
| Automotive Rentals | General Warehousing and Distribution | Group Home, Class I (Limited) |
| Automotive Repair Services | Light Manufacturing | Group Home, Class II |
| Automotive Sales | Limited Warehousing and Distribution | Residential Treatment |
| Automotive Washing (of any type) | Recycling Center | Railroad Facilities |
| Bail Bond Services | Resource Extraction | Transitional Housing |
| Carriage Stable | | |
| Commercial Blood Plasma Center | | |
| Construction Sales and Services | | |
| Drop-Off Recycling and Collection Facility | | |
| Electronic Prototype Assembly | | |
| Electronic Testing | | |
| Equipment Repair Services | | |
| Equipment Sales | | |
| Exterminating Services | | |
| Funeral Services | | |
| Kennels | | |
| Monument Retail Sales | | |
| Plant Nursery | | |

Printing and Publishing
Research Services
Scrap and Salvage
Software Development
Vehicle Storage
Veterinary Services

- 4) The development of the Property shall comply with the site development regulations in the LI, Limited Industrial District, except for the following conditions:
 - a) There is no interior side yard setback.
 - b) There is no rear yard setback.
 - c) The maximum height is 130 feet.
 - d) The maximum impervious cover is 85%.
 - e) The maximum building coverage is 80%.
 - f) The maximum floor-to-area (FAR) is 2:1.
- 5) To modify conditions of the Environmental Criteria Manual to provide that existing and proposed trees shall be allowed within raingardens constructed on the Property. Trees will be planted to avoid potential conflicts within the raingarden drainage system.
- 6) To modify LDC Section 25-2-1003(A) (*Requirement for a Site Plan – General Requirements*) to establish that the portion of the stadium (Outdoor Entertainment use) oriented towards Burnet Road shall be considered the “front wall” to determine landscape requirements.
- 7) To modify LDC Chapter 25-6 - Transportation, Appendix A (*Tables of Off-Street Parking and Loading Requirements*) to provide that parking for all uses on the Property shall be determined by the director of the Development Services Department, or its successor department, as applicable.
- 8) To modify LDC Chapter 25-6 - Transportation, Appendix A (*Tables of Off-Street Parking and Loading Requirements*) to provide that loading and unloading for all uses on the Property shall be determined by the director of the Development Services Department, or its successor department, as applicable.
- 9) To modify LDC Chapter 25-6 - Transportation, Appendix A (*Tables of Off-Street Parking and Loading Requirements*) to provide that off-street bicycle parking for all uses on the Property shall be determined by the director of the Development Services Department, or its successor department, as applicable.
- 10) To modify LDC Chapter 25-6 - Transportation, Article 7 (*Off-Street Parking and Loading*) Division 4 (*Design and Construction Standards for Parking and Loading Facilities*) and the Transportation Criteria Manual to allow for grass pavers, crushed granite, pervious pavement and other surfaces or similar material to be utilized in a parking lot that provides parking for motor vehicles.
- 11) To state that development of the Property for an Outdoor Entertainment use shall comply with the draft Austin FC Sign Regulations attached as Exhibit “1”.
- 12) To state that the director of the Development Services Department, or its successor department, may administratively grant amendments, corrections or revisions to the Sign Regulations for development on this Property.

13) To state the unless otherwise provided for in the PDA ordinance conditions, LDC Subchapter E: Design Standards and Mixed Use, shall only apply to commercial and civic use(s) as defined in LDC Chapter 25-2, Subchapter A, Article 1 (*Zoning Uses*).

14) To state that development of the Property for an Outdoor Entertainment use shall not be subject to LDC Chapter 25-2, Subchapter E: Design Standards and Mixed Use, Article 2.2 (*Relationship of Buildings to Streets and Walkways*), Article 2.3(*Connectivity Between Sites*), Article 2.5(*Exterior Lighting*), and Article 3-Building Design Standards.

15) To state that the Director of the Development Services Department, or its successor department, shall be able to grant Alternative Equivalent Compliance from any provision of LDC Chapter 25-2, Subchapter E: Design Standards and Mixed Use for this Property.

16) To state that the lighting for the Property shall comply with LEED V4 Light Pollution Reduction (SSc6).

17) To state that all exterior lighting may be controlled with a network of astronomical time clocks. All systems may be configured by the Illuminating Engineering Society Lighting Handbook, 10th Edition.

18) To modify LDC Section 25-2-812(C)(3) (*Mobile Food Establishments*) to provide that a mobile food establishment may be located within fifty (50) feet of a lot with a building that contains a residential and/or commercial use(s).

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant LI-PDA, Limited Industrial-Planned Development Area Combining District, zoning with the proposed overlay conditions as listed in Exhibit "A" – Site Development Standards, and as listed above in the applicant's request.

In addition, the staff does not object to the proposed sign regulations attached as Exhibit "1", at this time.

The staff **does not support** the applicant's request to add a provision to the PDA ordinance to state that the development of the Property shall comply with applicable City of Austin rules, regulations and ordinances as of the effective date of this zoning ordinance. The regulations of the LI-PDA zoning shall be required to comply with current Code, unless otherwise stated in the zoning ordinance.

PLANNING COMMISSION RECOMMENDATION:

5/14/19: To approve the staff's recommendation of LI-PDA zoning, with added condition to approve the Transportation Impact Analysis (TIA) with the site plan process, if practical (Vote: 11-2, K. McGraw and P. Seeger-No); G. Anderson-1st, C. Kenny- 2nd.

DEPARTMENT COMMENTS:

The property in question is former industrial site located near the southeast intersection of West Braker Lane and Burnet Road and is bordered by the Missouri Pacific Railroad to the west. It is comprised of two tracts of land. Tract 1 is currently being utilized as a scrap yard and is zoned LI-NP. Tract 2 is an access road, zoned NBG-NP. The site currently contains no structures.

The City of Austin purchased this property from Reichhold Chemicals, Inc. on October 20, 1995. The City intended to utilize this tract of land for the North Services Center for Water Utilities. However, due to the discovery of buried benzoyl peroxide in 2003, the property has remained vacant. The site has been through an extensive environmental remediation process.

McKalla Place is located within the boundaries of a Regional Center as defined in the Imagine Austin Comprehensive Plan Growth Concept Map. The property is in the central-east area of the North Burnet Gateway 2035 Master Plan. There is a multifamily development, industrial uses, and land that is zoned for mixed use adjacent to the site. This parcel of land is in close proximity to the existing Kramer Metro Rail Station located at the southeast corner of Kramer Lane and Brockton.

The applicant proposes to develop the property with an approximate 22,000-seat soccer stadium (Outdoor Entertainment use), with associated parking facilities and infrastructure improvements and an affordable housing/multifamily component (please see Applicant's Request Letter – Attachment A). The applicant is requesting LI-PDA zoning, with the planned development overlay to allow for a mixture of commercial and residential uses at this location.

The staff is recommending the applicant's request of LI-PDA zoning because the proposed zoning is compatible and consistent with the surrounding uses in this area. This site is located near major employment, commercial and residential developments such as The Domain, J.J. Pickle Research Campus, IBM-Broadmoor Campus, Charles Schwab complex, etc. and is within the vicinity of the Kramer Metro Rail Station. The proposed LI-PDA zoning will allow for a mixture of high-density residential, office, commercial and industrial uses. This location of this site is appropriate for the proposed mixture and intensity of LI-PDA uses because the property in question is located within a designated Regional Center and is adjacent to the intersection of two major arterial roadways, W. Braker Lane and Burnet Road, and abuts the Missouri Pacific Railway.

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--------------|--|---|
| <i>Site</i> | LI-NP, NBG-NP | Vacant |
| <i>North</i> | NBG-NP (North Burnet/Gateway-Transit Oriented Development Subdistrict-Neighborhood Plan) | School (Bright Horizons Early Education), Multifamily (The Copeland), Service Station/Food Sales (Sunoco), Convenience Storage (Life Storage), Automotive Repair Services (Discount Tire) |
| <i>South</i> | NBG-NP (North Burnet/Gateway-Warehouse-Mixed Use Subdistrict-Neighborhood Plan) | Industrial Warehouse Building (River City Graphic Supply, Safequip Inc., Decoprep) |

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| <i>East</i> | NBG-NP (North Burnet/Gateway-Warehouse-Mixed Use Subdistrict-Neighborhood Plan) | Rail line, Office/Warehouse (Paragon Printing and Mailing), Vacant Tract, Office/Warehouse Building, Construction Sales and Services (Pro Air Engineering, Inc., Qual-Con General Contractor) |
| <i>West</i> | NBG-NP (North Burnet/Gateway-Commercial -Mixed Use Subdistrict-Neighborhood Plan) | College and University (JJ Pickle Research Campus), Billboard, Equipment Rental (Rent Equip), Automotive Repair (AMM Collision Center), Retail Center (Research Square: Boxx, Flohr, Phoenix Arising, Realtors, Almar Furs, Home Pro, St. Francis Anglican Church, Two Men and a Truck, Centex Sporting Goods), Travis County Precinct 2, Retail Sales, Office (Lighting Inc., Austin Window Fashions, Affinity Design), Hotel/Motel, Office/ Warehouse (McKalla Business Park: Devlyn Optical, Digerati Audio Video Systems, 11 th Hour Escape, Texas Systems Group, Guard Texas, PSI Professional Service Industries, Elgin Butler, Tradestar, etc.) |

AREA STUDY: North Burnet/Gateway Neighborhood Plan Area

TIA: Required

WATERSHED: Little Walnut Creek

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
Austin Neighborhoods Council
Bike Austin
Friends of Austin Neighborhoods
Homeless Neighborhood Association
Neighborhood Empowerment Foundation
North Growth Corridor Alliance
North Burnet Gateway Neighborhood Association
North Burnet/Gateway Neighborhood Plan Staff Liaison
SELTEXAS
Shoal Creek Conservancy
Sierra Club, Austin Regional Group

CASE HISTORIES:

| NUMBER | REQUEST | COMMISSION | CITY COUNCIL |
|---|---------------------|--|---|
| C14-2016-0074 (Element Hotel: 10728 Burnet Road) | MI-PDA to MI-PDA | 8/0916: Approved staff's recommendation of MI-PDA zoning on consent (8-0, K. McGraw, S. Oliver, P. Seeger, J. Thompson, T. White-absent); N. Zaragoza-1 st , J. Shieh-2 nd . | 9/22/16: The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20160922-071 for MI-PDA zoning, to change a condition of zoning was approved on consent on Council Member Houston's motion, Council Member Casar's |

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| | | | second on a 10-0 vote. Council Member Troxclair was absent. |
| C14-2014-0062 (The Kenzie: 3201 Esperanza Crossing) | MI-PDA to MI- PDA | 5/27/14: Approved staff's recommendation for MI-PDA zoning by consent (8-0, J. Nortey-absent); R. Hattfield-1 st , N. Zaragoza-2 nd . | 6/26/14: Approved MI-PDA zoning, to change a condition of zoning, on consent on all 3 readings (6-0, M. Martinez- off the dais); B. Spelman-1 st , S. Cole-2 nd . |
| C14-2013-0130 (Domain Entertainment District: 11824 Burnet Road) | MI-PDA to MI- PDA | 11/12/13: Approved staff's recommendation for MI-PDA zoning, with conditions for a limitation of 90,000 square feet of Cocktail Lounge use as permitted with no one user exceeding 13,000 sq. ft. within the designated 43.267acre area (outlined in Exhibit A) located within the Property., by consent (7-0-2, D. Chimenti and A. Hernandez-absent); J. Nortey-1 st , B. Roark-2 nd . | 12/12/13: Approved MI-PDA zoning on consent on all 3 readings (7-0); B. Spelman-1 st , S. Cole-2 nd . |
| C14-2012-0002 (The Domain: 10728-11306 and 11500-11900 Burnet Road; 3300 West Braker Lane; 11105 and 11401-11925 Domain Drive, and 2900-3210 Esperanza Crossing) | MI-PDA to MI-PDA: To amend the PDA 1) To allow for a Cocktail Lounge use as a permitted use on a 2,198 sq. ft. parcel and 2) To relocate 1- acre of designated zero impervious area within a nine acre park to a new location within the same park. | 5/08/12: Approved MI-PDA zoning by consent (9-0); D. Anderson-1 st , S. Kirk-2 nd . | 6/28/12: Approved MI-PDA zoning to change a condition of zoning on all 3 readings (7-0); C. Riley-1 st , S. Cole-2 nd . |

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| <p>C14-2010-0087 (The Domain Rezoning-Simon: 11701, 11733 North Mopac Expressway; 11400, 11500 Domain Drive; 3311 Rogers Road; 3409 Esperanza Crossing; 11600 Century Oaks Terrace)</p> | <p>MI-PDA to MI-PDA: To amend the Domain zoning ordinance to request a change to the PDA overlay to allow 83% impervious cover for the overall site.</p> | <p>8/24/10: Approved staff's recommendation of MI-PDA zoning with the condition that the applicant agree to a public restrictive covenant to limit one acre of land on the Endeavor-Domain site to zero percent impervious cover to offset the increase in impervious cover on the Simon-Domain property (8-1, Chimenti-No), with the following additional conditions: 1) Require the applicant to provide bicycle access for a portion Bicycle Route Segment #905.04 (Please see Public Works Department Memorandum – "Attachment B") to allow for continuity for bicycle traffic to and through the Domain development. 2) Require a public restrictive covenant that will limit one acre of land on the Endeavor-Domain site to zero percent impervious cover to be signed and recorded before the 3rd reading of this zoning case at City Council.</p> | <p>8/26/10: The public hearing will remain open and the first reading of the case was approved for MI-PDA zoning (7-0); Morrison-1st, Spelman-2nd, with the following additional conditions: 1) The applicant is to provide bicycle access for a portion of Bicycle Route Segment #905.04 to allow for continuity for bicycle traffic to and through the Domain development. 2) A public restrictive covenant that will limit one acre of land on the Endeavor- Domain site to zero percent impervious cover will be signed and recorded before the third reading of this zoning case.</p> <p>10/14/10: Approved MI-PDA zoning on 2nd/3rd readings (7-0); Spelman-1st, Leffingwell-2nd, with the following amendments: 1) Part 3, C, 1 of the ordinance should read: "A pedestrian/bicycle entrance shall be provided between the existing pedestrian/bicycle trail under Mopac Expressway and the Simon Project internal drive as shown on the attached Exhibit B. A minimum 12-foot wide paved path shall be constructed with an associated curb cut connecting to the internal drive prior to issuance of a certificate of occupancy for a building on Lot 5A, Block A, the Domain Shopping Center Section 3 Subdivision."; 2) Add a new paragraph to Part 3, Section D to read: "The two trees on the property numbered 5068 and 5081 as shown on Exhibit D may not be removed, unless the City Arborist approved otherwise based on the health of the individual trees."; 3) The approved</p> |
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| | | | otherwise based on fourth WHEREAS of the restrictive covenant should read: “WHEREAS, the requirements of the Land Development Code for both the Endeavor Tract and the Simon Tract allow for a combined maximum of eighty percent (80%) net site area impervious cover resulting in a total allowable impervious cover area of 135.36 acres for the Endeavor Tract and 40.54 for the Simon Tract; and”. |
| C14-2010-0015 (The Domain Rezoning- Endeavor: 10712, 10728, 10800, 11000, 11500, 11600 Burnet Road; 11601 Domain Drive; 2900, 3001, 3101 Esperanza Crossing) | To rezone the property from MI-PDA to MI-PDA to amend the Domain zoning ordinance to modify the following conditions: 1) To provide updated bike lanes for the development by routing sharrows and hike and bike paths throughout the site 2) To request a variance through the PDA to LDC Sec. 25-2-813 to allow an administrative approval of one large retail user exceeding 100,000 square feet to be constructed on the portion of the Domain property that is located north of Esperanza Crossing. Thereby, removing the requirement to | 8/24/10: Approved staff’s recommendation for MI-PDA zoning (8-1, Tovo-No), with an amendment to the Public Works Department Memorandum – “Attachment A” to change the wording in the first line of item #2 from should to <u>shall</u> . The Commission also included findings for the justification for the approval of the proposed variance to the “Big Box” ordinance, LDC Sec. 25-2-813: <ol style="list-style-type: none"> 1) This request is a special circumstance because the property is located with a PDA overlay district. 2) This approval is in accordance with the North Burnett/Gateway Neighborhood Plan. 3) The approval for this case allows for the inclusion of the recommendations of the City of Austin Bicycle Program for the property. | 10/14/10: Approved MI-PDA zoning on all 3 readings on consent (7-0); Spelman-1 st , Cole-2 nd , with the following conditions: 1) Part 3, C, 1 of the ordinance should read: “The Domain-Endeavor Project shall provide internal bicycle routes for access and continuity to existing or planned bicycle routes as well as multi-use hike and bike trails as more particularly detailed in the attached Exhibit C.”, 2) Part 3, C, 4 of the ordinance should read: “The sharrows shall be installed within one year of the effective date of this ordinance for existing roadways and at the time of construction for future roadways.” |

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| | secure approval of a Conditional Use Permit for this sole large retail user at this location. | | |
| C14-06-0121 | MI-PDA to MI-PDA | <p>2/13/10: Approved staff's rec. for MI-PDA zoning with additional conditions of:</p> <ul style="list-style-type: none"> • 2 star Green Building rating • natural landscaping of all water quality ponds (existing and future); • be in compliance with TIA conditions; • the applicant's requested parkland dedication proposal; • height base of 140-ft; plus an additional 12-stories based on electing to provide some of the public benefits as listed in the North Burnet/Gateway Neighborhood Plan. • Maximum height of 308 feet. <p>Vote: (9-0); J.Reddy-1st, G. Stegeman-2nd.</p> | 3/01/07: Approved MI-PDA zoning with the addition of low albedo roofing materials, one star construction for the total site and two star construction for 50% of the office and residential construction (7-0); McCracken-1 st , Dunkerley-2 nd . |
| C14-06-0154 | MI-PDA to MI-PDA | 8/08/06: Approved staff rec. of MI-PDA by consent (8-0) | <p>09/28/06: Approved MI-PDA (7-0); 1st reading</p> <p>10/05/06: Approved MI-PDA changes as a condition of zoning (6-0); 2nd/3rd readings</p> |
| C14-04-0151 | MI-PDA to MI-PDA | 11/23/04: Approved staff recommendation of MI-PDA, with Environmental Board conditions (9-0). | 12/16/04: Approved MI-PDA (7-0); all 3 readings |
| C14-04-0146 | P to CH | 11/9/04: Approved staff's recommendation of CH zoning with conditions (9-0) | 12/2/04: Approved CH zoning (7-0); all 3 readings |
| C14-03-0017 | MI-PDA to MI-PDA | 6/11/03: Approved staff's recommendation of MI-PDA zoning, with inclusion of original PDA conditions (as read into the record) from Ordinance #000608-67 (8-0, R. Pratt-off dais) | 7/31/03: Granted MI-PDA on all 3 readings (7-0) |

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| C14-03-0016 | MI to MI-PDA | 6/11/03: Approved staff's recommendation of MI-PDA zoning (8-0, R. Pratt-off dais) | 7/31/03: Granted MI-PDA on all 3 readings (7-0) |
| C14-03-0015 | MI to CS | 6/11/03: Approved staff's recommendation of CS-CO zoning (8-0, R. Pratt-off dais) | 7/31/03: Granted CS-CO on all 3 readings |
| C14-02-0062 | LI to CS-1 | 6/12/02: Approved CS-1 by consent (8-0) | 7/11/02: Approved PC rec. of CS-1 (7-0); all 3 readings |
| C14H-00-2177 | LI-PDA to LI-PDA | 10/24/00: Approved staff rec. of LI-PDA (TR1), LI-PDA-H (TR2) by consent (9-0) | 11/30/00: Approved LI-PDA (TR1) and LI-PDA-H (TR2); (7-0); all 3 readings |
| C14-00-2065 | MI to MI-PDA | 5/9/00: Approved staff rec. of MI-PDA by consent (8-0); with the following conditions: 1) That minimum lot size be 1 acre provided for any lots that directly abut Braker Lane and Burnet Road (but not both) and which are less than 3 acres in size. 2) The total number of additional curb cuts on Braker Lane & Burnet Road providing access to such lots shall not exceed 50 % of the total number of such lots. 3) The foregoing limitation shall not apply to any lot of more than 3 acres, which abut Braker Lane and Burnet Road. | 6/8/00: Approved MI-PDA, with changes agreed to with neighborhood association (7-0); all 3 readings |

RELATED CASES: C14-20108-0182 (North Burnet/Gateway NP Rezonings)
SP-01-0018C (Site Plan)
C8s-87-002 (Subdivision)

ABUTTING STREETS:

| Name | ROW | Pavement | Classification | Sidewalks | Bicycle Route | Capital Metro (within ¼ mile) |
|----------------|--------|-----------------|-----------------------|------------------------|---------------|-------------------------------|
| McKalla Place | 70 ft | 25 ft | Local | No | No | No |
| Burnet Road | 130 ft | 70 ft | Major Arterial (MAD6) | Yes; western side only | No | Yes; routes 3, 383, 803 |
| Aguilar Street | 78 ft | Not constructed | N/A | N/A | N/A | N/A |

CITY COUNCIL DATE: June 6, 2019

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

PHONE: 512-974-3057,
sherri.sirwaitis@austintexas.gov

STAFF RECOMMENDATION

The staff's recommendation is to grant the applicant's request for LI-PDA, Limited Industrial-Planned Development Area Combining District, zoning with the following conditions:

1) LI (Limited Industrial Services District) zoning uses, as well as the following uses, shall be permitted in the LI-PDA zoning for the Property:

Residential Uses

Multifamily Residential

Commercial Uses

Cocktail Lounge

Outdoor Entertainment

Civic Uses

Club or Lodge

Transportation Terminal

2) To prohibit the following uses under a Planned Development Agreement:

Commercial Uses

Agricultural Sales and Services

Automotive Rentals

Automotive Repair Services

Automotive Sales

Automotive Washing (of any type)

Bail Bond Services

Carriage Stable

Commercial Blood Plasma Center

Construction Sales and Services

Drop-Off Recycling and Collection
Facility

Electronic Prototype Assembly

Electronic Testing

Equipment Repair Services

Equipment Sales

Exterminating Services

Funeral Services

Kennels

Monument Retail Sales

Plant Nursery

Printing and Publishing

Research Services

Scrap and Salvage

Software Development

Vehicle Storage

Veterinary Services

Industrial Uses

Basic Industry

General Warehousing and Distribution

Light Manufacturing

Limited Warehousing and Distribution

Recycling Center

Resource Extraction

Civic Uses

Group Home, Class I (General)

Group Home, Class I (Limited)

Group Home, Class II

Residential Treatment

Railroad Facilities

Transitional Housing

3) The development of the Property shall comply with the site development regulations in the LI, Limited Industrial District, except for the following conditions:

- a) There is no interior side yard setback.
- b) There is no rear yard setback.
- c) The maximum height is 130 feet.
- d) The maximum impervious cover is 85%.
- e) The maximum building coverage is 80%.
- f) The maximum floor-to-area (FAR) is 2:1.

- 4) To modify conditions of the Environmental Criteria Manual to provide that existing and proposed trees shall be allowed within raingardens constructed on the Property. Trees will be planted to avoid potential conflicts within the raingarden drainage system.
- 5) To modify LDC Section 25-2-1003(A) (*Requirement for a Site Plan – General Requirements*) to establish that the portion of the stadium (Outdoor Entertainment use) oriented towards Burnet Road shall be considered the “front wall” to determine landscape requirements.
- 6) To modify LDC Chapter 25-6 - Transportation, Appendix A (*Tables of Off-Street Parking and Loading Requirements*) to provide that parking for all uses on the Property shall be determined by the director of the Development Services Department, or its successor department, as applicable.
- 7) To modify LDC Chapter 25-6 - Transportation, Appendix A (*Tables of Off-Street Parking and Loading Requirements*) to provide that loading and unloading for all uses on the Property shall be determined by the director of the Development Services Department, or its successor department, as applicable.
- 8) To modify LDC Chapter 25-6 - Transportation, Appendix A (*Tables of Off-Street Parking and Loading Requirements*) to provide that off-street bicycle parking for all uses on the Property shall be determined by the director of the Development Services Department, or its successor department, as applicable.
- 9) To modify LDC Chapter 25-6 - Transportation, Article 7 (*Off-Street Parking and Loading*) Division 4 (*Design and Construction Standards for Parking and Loading Facilities*) and the Transportation Criteria Manual to allow for grass pavers, crushed granite, pervious pavement and other surfaces or similar material to be utilized in a parking lot that provides parking for motor vehicles.
- 10) To state that development of the Property for an Outdoor Entertainment use shall comply with the draft Austin FC Sign Regulations attached as Exhibit “1”.
- 11) To state that the director of the Development Services Department, or its successor department, may administratively grant amendments, corrections or revisions to the Sign Regulations for development on this Property.
- 12) To state the unless otherwise provided for in the PDA ordinance conditions, LDC Subchapter E: Design Standards and Mixed Use, shall only apply to commercial and civic use(s) as defined in LDC Chapter 25-2, Subchapter A, Article 1 (*Zoning Uses*).
- 13) To state that development of the Property for an Outdoor Entertainment use shall not be subject to LDC Chapter 25-2, Subchapter E: Design Standards and Mixed Use, Article 2.2 (*Relationship of Buildings to Streets and Walkways*), Article 2.3(*Connectivity Between Sites*), Article 2.5(*Exterior Lighting*), and Article 3-Building Design Standards.
- 14) To state that the Director of the Development Services Department, or its successor department, shall be able to grant Alternative Equivalent Compliance from any provision of LDC Chapter 25-2, Subchapter E: Design Standards and Mixed Use for this Property.
- 15) To state that the lighting for the Property shall comply with LEED V4 Light Pollution Reduction (SSc6).

16) To state that all exterior lighting may be controlled with a network of astronomical time clocks. All systems may be configured by the Illuminating Engineering Society Lighting Handbook, 10th Edition.

17) To modify LDC Section 25-2-812(C)(3) (*Mobile Food Establishments*) to provide that a mobile food establishment may be located within fifty (50) feet of a lot with a building that contains a residential and/or commercial use(s).

BASIS FOR RECOMMENDATION

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

Limited industrial service (LI) district is the designation for a commercial service use or limited manufacturing use generally located on a moderately-sized site.

The PDA combining district designation provides for industrial and commercial uses in certain commercial and industrial base districts.

2. *The proposed zoning should promote consistency, and orderly planning.*

The LI-PDA zoning district would be compatible and consistent with the surrounding uses because there are commercial and industrial uses located to the north, south, east and west and multifamily residential use to the north, fronting West Braker Lane. The site is surrounded by North Burnet/Gateway-Neighborhood Plan zoning. There is NBG-Transit Oriented Development district zoning to the north along W. Braker Lane, NBG-Commercial-Mixed Use District zoning to the west along Burnet Road and NBG-Warehouse-Mixed Use zoning to the south and east.

3. *Zoning changes should promote an orderly relationship among land uses.*

LI-PDA zoning would allow this site to be developed with a mixture of high-density residential, office, commercial and industrial uses. This location is appropriate for the proposed mixture of uses because the property in question adjacent to the intersection of two major arterial roadways that are designated as NBG Core Transit Corridors and abuts the Missouri Pacific Railroad.

4. *The proposed zoning should allow for a reasonable use of the property.*

The LI-PDA zoning district would allow for a fair and reasonable use of the site. This zoning is appropriate for this location because it will be compatible with the proposed surrounding commercial and industrial land uses.

The proposed LI-PDA zoning will allow for high-density residential uses, which will provide desirable housing opportunities for the people that work in the surrounding commercial and industrial areas.

EXISTING CONDITIONS

Site Characteristics

The site under consideration is comprised of two tracts of land. Tract 1 is a vacant former industrial site that is currently being utilized as a scrap yard and is zoned LI-NP. Tract 2 is an access road, zoned NBG-NP. The property currently contains no structures. It is located near the southeast intersection of West Braker Lane and Burnet Road and is bordered by the Missouri Pacific Railroad to the east.

Comprehensive Planning

Austin FC/ C14-2019-0055

North Burnet Gateway 2035 Master Plan

The property is located in the central-east area of the North Burnet Gateway 2035 Master Plan. It is currently a former industrial site with no structures. The property is adjacent to a multifamily development, industrial uses, and land that is zoned for mixed use. The property is in close proximity to the existing transit station. The plan generally supports the development of dense, mixed use development. The plan and also identifies a need for a significant number of new residents moving into the planning area. In particular, the plan encourages high density housing in close proximity to transit in order to help reduce vehicle dependency. The plan emphasizes the need for civic spaces and a well-developed public realm. Additionally, the plan supports using City of Austin owned properties as catalyst site for transit oriented development.

The future plan use map identifies the property seeking a zoning change is designated as being in the warehouse industrial and commercial industrial subdistricts. These subdistricts were intended to accommodate existing industrial uses. Additionally, the property is within the potential TOD zone.

The North Burnet Gateway Regulating Plan does not assign a subdistrict to this property.

Although the Master Plan designates this area for industrial purposes, the plan also makes a recommendation to utilize City Owned Property to spark transit oriented development. As the plan prioritizes transit oriented development and a vibrant public realm, staff believes that the NBG Master Plan supports the proposed zoning change.

Imagine Austin Plan

The subject property is located within the boundaries of a Regional Center as defined in the Imagine Austin Growth Concept Map. A Regional Center is the most urban and dense of the activity center types and is intended to be a retail, cultural, recreation, and entertainment destination in central Texas. The following IACP policies are applicable to this case:

LUT P1: Align land use and transportation planning and decision-making to achieve a compact and connected city in line with the Growth Concept Map.

LUT P3: Promote development in compact centers that are connected by roads and transit and are designed to encourage walking, bicycling, and reduce healthcare, housing, and transportation costs. \

HN P1. Distribute a variety of housing types throughout the City to expand the choices available to meet the financial and lifestyle needs of Austin's diverse population.

HN P4. Connect housing to jobs, child care, schools, retail, and other amenities and services needed on a daily basis, by strategies such as: Coordinating and planning for housing near

public transportation networks and employment centers to reduce household transportation costs and vehicle miles traveled.

The Imagine Austin Plan strongly supports the development of dense development and affordable housing in transit rich areas in the City. Based on the policies described in the plan, Staff believes that the proposed zoning change is supported by the Imagine Austin Comprehensive Plan.

Hill Country Roadway

The site is not within a Hill Country Roadway Corridor.

Impervious Cover

The maximum impervious cover allowed by the LI zoning district would be 80 %. Zoning district impervious cover limits apply in the Urban Watershed classification.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. According to current maps, the westernmost edge of this site lies very close to the divide between the Walnut Creek Watershed (classified as Suburban) and the Little Walnut Creek Watershed (classified as Urban). A topographical analysis and / or drainage analysis of the site may be needed to determine the exact boundary of the aforementioned watersheds. Current maps indicate the site is located in the Little Walnut Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

According to floodplain maps there is no floodplain within or adjacent to the project location. COA GIS indicates a Critical Water Quality Zone extending approximately 30 feet into the eastern boundary of the property. Development is limited in the Critical Water Quality Zone per LDC 25-8-261 and 262.

Trees will likely be impacted with a proposed development associated with this rezoning case. Standard landscaping and tree protection will be required in accordance with LDC 252 and 25-8 for all development and/or redevelopment. At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 sq. ft. cumulative is exceeded, and on-site control for the two-year storm.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

Site Plan

Site plans will be required for any new development other than single-family or duplex residential.

Any new development is subject to Subchapter E. Design Standards and Mixed Use as modified by the PDA ordinance. Additional comments will be made when the site plan is submitted. This comment applies to Tract 1.

FYI: Additional design regulations will be enforced at the time a site plan is submitted.

FYI: The subject property is included in an approved site plan (SP-01-0018C).

Transportation

An alternative transportation impact analysis is required for the site. Per the City of Austin lease agreement, the Transportation Impact Analysis is required to be complete before substantial completion of the site. Austin Transportation Department (ATD) and Development Service Department (DSD) staff are working with the applicant on developing the transportation impact analysis and associated mitigation.

Existing Street Characteristics:

| Name | ROW | Pavement | Classification | Sidewalks | Bicycle Route | Capital Metro (within ¼ mile) |
|----------------|------------|-----------------|-----------------------|------------------------|----------------------|--------------------------------------|
| McKalla Place | 70 ft | 25 ft | Local | No | No | No |
| Burnet Road | 130 ft | 70 ft | Major Arterial (MAD6) | Yes; western side only | No | Yes; routes 3, 383, 803 |
| Aguilar Street | 78 ft | Not constructed | N/A | N/A | N/A | N/A |

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance.

Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin.

The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Created: 3/13/2019



STAFF RECOMMENDATION

The staff's recommendation is to grant the applicant's request for LI-PDA, Limited Industrial-Planned Development Area Combining District, zoning with the following conditions:

- 1) The development of the Property shall comply with applicable City of Austin rules, regulations and ordinances as of the effective date of this zoning ordinance.
- 2) LI (Limited Industrial Services District) zoning uses, as well as the following uses, shall be permitted in the LI-PDA zoning for the Property:

| <u>Residential Uses</u> | <u>Commercial Uses</u> | <u>Civic Uses</u> |
|-------------------------|--|--|
| Multifamily Residential | Cocktail Lounge Outdoor Entertainment | Club or Lodge Transportation Terminal |

- 3) To prohibit the following uses under a Planned Development Agreement:

| <u>Commercial Uses</u> | <u>Industrial Uses</u> | <u>Civic Uses</u> |
|--|--|--|
| Agricultural Sales and Services Automotive Rentals Automotive Repair Services Automotive Sales Automotive Washing (of any type) Bail Bond Services Carriage Stable Commercial Blood Plasma Center Construction Sales and Services Drop-Off Recycling and Collection Facility Electronic Prototype Assembly Electronic Testing Equipment Repair Services Equipment Sales Exterminating Services Funeral Services Kennels Monument Retail Sales Plant Nursery Printing and Publishing Research Services Scrap and Salvage Software Development Vehicle Storage Veterinary Services | Basic Industry General Warehousing and Distribution Light Manufacturing Limited Warehousing and Distribution Recycling Center Resource Extraction | Group Home, Class I (General) Group Home, Class I (Limited) Group Home, Class II Residential Treatment Railroad Facilities Transitional Housing |

- 4) The development of the Property shall comply with the site development regulations in the LI, Limited Industrial District, except for the following conditions:
 - a) There is no interior side yard setback.
 - b) There is no rear yard setback.
 - c) The maximum height is 130 feet.
 - d) The maximum impervious cover is 85%.
 - e) The maximum building coverage is 80%.

- f) The maximum floor-to-area (FAR) is 2:1.
- 5) To modify conditions of the Environmental Criteria Manual to provide that existing and proposed trees shall be allowed within raingardens constructed on the Property. Trees will be planted to avoid potential conflicts within the raingarden drainage system.
- 6) To modify LDC Section 25-2-1003(A) (*Requirement for a Site Plan – General Requirements*) to establish that the portion of the stadium (Outdoor Entertainment use) oriented towards Burnet Road shall be considered the “front wall” to determine landscape requirements.
- 7) To modify LDC Chapter 25-6 - Transportation, Appendix A (*Tables of Off-Street Parking and Loading Requirements*) to provide that parking for all uses on the Property shall be determined by the director of the Development Services Department, or its successor department, as applicable.
- 8) To modify LDC Chapter 25-6 - Transportation, Appendix A (*Tables of Off-Street Parking and Loading Requirements*) to provide that loading and unloading for all uses on the Property shall be determined by the director of the Development Services Department, or its successor department, as applicable.
- 9) To modify LDC Chapter 25-6 - Transportation, Appendix A (*Tables of Off-Street Parking and Loading Requirements*) to provide that off-street bicycle parking for all uses on the Property shall be determined by the director of the Development Services Department, or its successor department, as applicable.
- 10) To modify LDC Chapter 25-6 - Transportation, Article 7 (*Off-Street Parking and Loading*) Division 4 (*Design and Construction Standards for Parking and Loading Facilities*) and the Transportation Criteria Manual to allow for grass pavers, crushed granite, pervious pavement and other surfaces or similar material to be utilized in a parking lot that provides parking for motor vehicles.
- 11) To state that development of the Property for an Outdoor Entertainment use shall comply with the draft Austin FC Sign Regulations attached as Exhibit “1”.
- 12) To state that the director of the Development Services Department, or its successor department, may administratively grant amendments, corrections or revisions to the Sign Regulations for development on this Property.
- 13) To state the unless otherwise provided for in the PDA ordinance conditions, LDC Subchapter E: Design Standards and Mixed Use, shall only apply to commercial and civic use(s) as defined in LDC Chapter 25-2, Subchapter A, Article 1 (*Zoning Uses*).
- 14) To state that development of the Property for an Outdoor Entertainment use shall not be subject to LDC Chapter 25-2, Subchapter E: Design Standards and Mixed Use, Article 2.2 (*Relationship of Buildings to Streets and Walkways*), Article 2.3(*Connectivity Between Sites*), Article 2.5(*Exterior Lighting*), and Article 3-Building Design Standards.
- 15) To state that the Director of the Development Services Department, or its successor department, shall be able to grant Alternative Equivalent Compliance from any provision of LDC Chapter 25-2, Subchapter E: Design Standards and Mixed Use for this Property.

16) To state that the lighting for the Property shall comply with LEED V4 Light Pollution Reduction (SSc6).

17) To state that all exterior lighting may be controlled with a network of astronomical time clocks. All systems may be configured by the Illuminating Engineering Society Lighting Handbook, 10th Edition.

18) To modify LDC Section 25-2-812(C)(3) (*Mobile Food Establishments*) to provide that a mobile food establishment may be located within fifty (50) feet of a lot with a building that contains a residential and/or commercial use(s).

BASIS FOR RECOMMENDATION

1. The proposed zoning should be consistent with the purpose statement of the district sought.

Limited industrial service (LI) district is the designation for a commercial service use or limited manufacturing use generally located on a moderately-sized site.

The PDA combining district designation provides for industrial and commercial uses in certain commercial and industrial base districts.

2. The proposed zoning should promote consistency, and orderly planning.

The LI-PDA zoning district would be compatible and consistent with the surrounding uses because there are commercial and industrial uses located to the north, south, east and west and multifamily residential use to the north, fronting West Braker Lane. The site is surrounded by North Burnet/Gateway-Neighborhood Plan zoning. There is NBG-Transit Oriented Development district zoning to the north along W. Braker Lane, NBG-Commercial-Mixed Use District zoning to the west along Burnet Road and NBG-Warehouse-Mixed Use zoning to the south and east.

3. Zoning changes should promote an orderly relationship among land uses.

LI-PDA zoning would allow this site to be developed with a mixture of high-density residential, office, commercial and industrial uses. This location is appropriate for the proposed mixture of uses because the property in question adjacent to the intersection of two major arterial roadways that are designated as NBG Core Transit Corridors and abuts the Missouri Pacific Railroad.

4. The proposed zoning should allow for a reasonable use of the property.

The LI-PDA zoning district would allow for a fair and reasonable use of the site. This zoning is appropriate for this location because it will be compatible with the proposed surrounding commercial and industrial land uses.

The proposed LI-PDA zoning will allow for high-density residential uses, which will provide desirable housing opportunities for the people that work in the surrounding commercial and industrial areas.

EXISTING CONDITIONS

Site Characteristics

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The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

ARMBRUST & BROWN, PLLC

ATTORNEYS AND COUNSELORS

100 CONGRESS AVENUE, SUITE 1300
AUSTIN, TEXAS 78701-2744
512-435-2300

FACSIMILE 512-435-2360

Richard Suttle, Jr.
(512) 435-2310
rsuttle@abaustin.com

March 7, 2019

Greg Guernsey
Planning and Development Review Department
City of Austin
505 Barton Springs Road, 5th Floor
Austin, Texas 78704

Re: Rezoning Request for 10414 McKalla Place and 10617 1/2 Burnet Road (the
"Application")

Dear Mr. Guernsey:

The area to be rezoned is comprised of two tracts of land located at 10414 McKalla Place ("Tract 1") and 10617 1/2 Burnet Road ("Tract 2") collectively the "Property".

Tract 1 is currently zoned LI and Tract 2 is zoned NBG-NP. Tract 1 is used as a scrap yard while Tract 2 is an access road. The request is to rezone the Property from LI and NBG-NP to LI-PDA to allow for the development of an approximate 22,000-seat soccer stadium, parking facilities, residential use, with associated infrastructure improvements (the "Project").

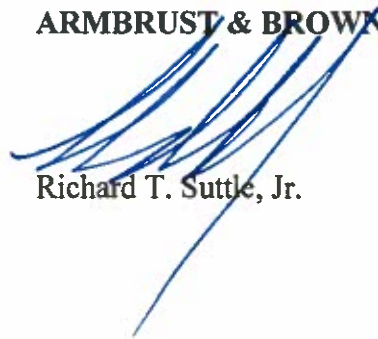
The Project will be constructed in two phases; Phase One will consist of the soccer stadium and Phase Two will consist of the affordable housing/multi-family component. This Application proposes to modify various development regulations of the Land Development Code ("City Code") that will apply to the Property. The modifications are identified in Exhibit "A" attached hereto.

Thank you in advance for your time and consideration of this zoning request. If you have any questions or need additional information, please do not hesitate to contact me at (512)435-2310.

ARMBRUST & BROWN, PLLC
Page 2

Very truly yours,

ARMBRUST & BROWN, PLLC

A handwritten signature in blue ink, consisting of several sweeping, overlapping strokes that form the name Richard T. Suttle, Jr.

Richard T. Suttle, Jr.

cc: Greg Kiloh
Dave Greeley
Mike Rock
Dane Jensen
Stacy Nakano
John Pelham
Amanda Morrow
Amanda Surman

EXHIBIT "A"

SITE DEVELOPMENT STANDARDS

Section 1. Applicable Site Development Regulations

- A. Unless otherwise modified herein development of the Property shall comply with applicable City of Austin rules, regulations and ordinances as of the effective date of this Ordinance.
- B. If there is a conflict between this Ordinance and applicable City of Austin rules, regulations and ordinances, this Ordinance including the Exhibits shall control.

Section 2. Authorized Uses

- A. All Limited Industrial (LI) uses are permitted uses of the Property, except as set forth in Subsection B of this Section. The following are additional permitted uses:

Club or Lodge
Cocktail Lounge
Multi-Family Residential
Outdoor Entertainment
Transportation Terminal

- B. The following uses are prohibited as principal uses of the Property:

Agricultural Sales and Services
Automotive Rentals
Automotive Repair Services
Automotive Sales
Automotive Washing (of any type)
Bail Bond Services
Basic Industry
Carriage Stable
Commercial Blood Plasma Center
Construction Sales and Services
Drop-Off Recycling Collection Facility
Electronic Prototype Assembly
Electronic Testing
Equipment Repair Services
Equipment Sales
Exterminating Services

Funeral Services
General Warehousing & Distribution
Group Home, Class 1 (General)
Group Home, Class I (Limited)
Group Home, Class II
Kennels
Light Manufacturing
Limited Warehousing and Distribution
Maintenance and Service Facilities
Monument Retail Sales
Plant Nursery
Printing and Publishing
Recycling Center
Residential Treatment
Research Services
Resource Extraction

Scrap and Salvage
Software Development
Transitional Housing
Vehicle Storage
Veterinary Services

Rail Facilities (except Terminals,
Light Rail, and Park & Rides)

Section 3. Site Development Regulations

A. Base District Regulations

- 1) Development of the Property shall conform to the site development regulations authorized for the Limited Industrial Services (LI) district as set forth in the City Code, except as provided for in this Ordinance.
- 2) There is no minimum interior side yard or rear yard setbacks.
- 3) The maximum height is 130 feet.
- 4) The maximum impervious cover is 85%.
- 5) The maximum building coverage is 80%.
- 6) The maximum floor-to-area ratio is 2:1.

Section 4. Landscaping

- A. Environmental Criteria Manual is modified to provide that existing and proposed trees shall be allowed within raingardens constructed on the Property. Careful consideration shall be given when planting the trees to avoid potential conflicts with the raingarden drainage system.
- B. Section 25-2-1003(A) is modified to establish that the portion of the stadium orientated towards Burnet Road shall be considered the "front wall" to determine landscape yard requirements.

Section 5. Transportation

- 1) Chapter 25-6, Appendix A is modified to provide that parking for all uses on the Property shall be determined by the director of Development Services Department, or its successor department, as applicable.
- 2) Chapter 25-6, Appendix A is modified to provide that loading and unloading for all uses on the Property shall be determined by the director of Development Services Department, or its successor department, as applicable.

- 3) Chapter 25-6, Appendix A is modified to provide that off-street bicycle parking for all uses on the Property shall be determined by the director of Development Services Department, or its successor department, as applicable.
- 4) Chapter 25-6, Division 4. and the Transportation Criteria Manual is modified to allow grass pavers, crushed granite, pervious pavement, and other surfaces or similar material, may be used in a parking lot that provides parking for motor vehicles.

Section 6. Sign

- A. Development of the Property for an Outdoor Entertainment Use shall comply with draft Sign Regulations attached as Exhibit "1".
- B. The director of Development Services Department, or its successor department, may administratively grant amendments, corrections or revisions to the Sign Regulations.

Section 7. Commercial Design Standards

- A. Unless otherwise provided for in this Section, Commercial Design Standards shall only apply to commercial and civic use(s) as defined in Chapter 25-2, Subchapter A., Article 1.
- B. Development of the Property for an Outdoor Entertainment Use shall not be subject to Chapter 25-2, Subchapter E, Article 2.2, Article 2.3, Article 2.5, and Article 3 of the City Code.
- C. This Section does not prevent the director of Development Services Department, or its successor department, from granting Alternative Equivalent Compliance from any provision of the Commercial Design Standards.

Section 8. Lighting Standards

- A. Site lighting shall comply with LEED V4 Light Pollution Reduction (SSc6).
- B. All exterior lighting may be controlled with a network astronomical time clocks. All systems may be configured to meet energy code requirements of ASHRAE 90.1-2013.
- C. Lighting design for development of the Property may use the following lighting levels (in foot-candles) established by the Illuminating Engineering Society Lighting Handbook, 10th Edition:

| Exterior Spaces | | | |
|-----------------------------------|--|--|---|
| Space Type | HLB / IES Recommended Light Levels | Energy Allowance (ASHRAE 90.1 - 2013) | Lighting Control Intent |
| Building Entrances | • 10 fc Avg Horizontal Illuminance | 20 W/LF of door width | Network Dimming w/ Astronomical Timeclock |
| Driveway | • 0.6 fc Avg Horizontal Illuminance | 0.1 W/ft ² | Network Dimming w/ Astronomical Timeclock |
| Façade | • N/A | 0.15 W/ft ² for each illuminated wall or surface or 3.75 W/LF for each illuminated wall or surface length | Network DMX Dimming w/ Astronomical Timeclock |
| Plazas | • 4-6 fc Avg. Horizontal Illuminance | 0.16 W/ft ² | Network Dimming w/ Astronomical Timeclock |
| Ticketing Canopy (sales canopies) | • 5-10 fc Avg. Horizontal Illuminance | 1.0 W/ft ² | Network Dimming w/ Astronomical Timeclock |
| Uncovered Parking Area | • 0.2-1 fc Avg Horizontal Illuminance | 0.1 W/ft ² | Network Dimming w/ Astronomical Timeclock |
| Walkway < 10ft Wide | • 0.5 fc Avg Horizontal Illuminance | 0.8 W/ft ² | Network Dimming w/ Astronomical Timeclock |
| Walkway >= 10ft Wide | • 0.5 fc Avg Horizontal Illuminance | 0.16 W/ft ² | Network Dimming w/ Astronomical Timeclock |
| Sports Lighting | | | |
| Space Type | MLS Required Light Levels (MLS Venue Design Standards 2019) | Energy Allowance (ASHRAE 90.1 - 2013) | Lighting Control Intent |
| Sports Lighting | <ul style="list-style-type: none"> • 150 fc average vertical illuminance • 200 fc average horizontal illuminance | 3 W/ft ² | Network sports lighting control integrated into Building Control System |

Section 9. Mobile Food Establishments

- A. Section 25-2-812(C)(3) is modified to provide that a mobile food establishment may be located within 50 feet of a lot with a building that contains residential and commercial use(s).

EXHIBIT “1”

SIGN REGULATIONS

DRAFT



Austin FC Sign Regulations - DRAFT

Exhibit 1
March 08, 2019

Gensler

| | |
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Section 1. Establishment of the Austin Football Club Soccer Stadium Sign District.

- A. Authority and scope.** As of the effective date of this ordinance, establishes the soccer stadium sign district (district), which shall be applicable to that area of the city subject to the plan (specific plan) adopted contemporaneously with this sign district shown within the area bounded by Burnet Road on the North and West, West Braker Lane to the North and East and McKalla Place on the South and East.
- B. Sign zones.** This district is subdivided into four sign zones. They are Stadium Zone, North Parking Zone, East Parking Zone, and South Parking Zone. The purpose of the sign zones is to address the relationship between sign intensity and the uses surrounding each sign zone. The soccer stadium and parking lot sign zones are divided into vertical sign levels. The purpose of the vertical sign levels is to address different sign viewing distances, including pedestrian views from street level, pedestrian views from a distance, and from vehicles.

Section 2. Purposes and objectives.

- A. General.** This district provides the regulatory framework for the signs proposed for the soccer stadium and surrounding areas and uses allowed by the stadium district specific plan.
- B. Purposes and objectives.**
1. Enable the regulation of signs within the stadium district specific plan.
 2. Support and enhance the land uses and urban design objectives in the district specific plan.
 3. Encourage vibrant, clear, attractive signage that enhances the district while complementing and protecting the character of the surrounding areas by limiting visual clutter.
 4. Ensure that new signs are responsive to and integrated with the aesthetic character of the soccer stadium area on which they are located, and are positioned in a manner that is compatible both architecturally and relative to other signs within the district.
 5. Encourage creative, well-designed signs that are part of an integrated development that contribute in a positive way to the district's visual environment, in a manner that accentuates the architectural characteristics of the soccer stadium and reinforces the district's sense of place as a major urban sports and entertainment destination venue, cultural and visitor destination, and an exciting pedestrian experience with a visually attractive character.
 6. Coordinate the location and display of signs so as to minimize potential traffic hazards and protect public safety.

Section 3. Application.

- A. Relationship to the Code of the City of Austin, Texas.** This ordinance regulates signs within the district. The regulations of this ordinance are in addition to those set forth in the planning and zoning provisions of the City Code. Wherever this ordinance contains provisions that are different from, more restrictive than or more permissive than permitted by the City Code, this ordinance shall prevail and supersede the other applicable provisions.
- B. On-site and off-site signs.** All signs listed in this ordinance, and all signs which are not otherwise prohibited by this ordinance, shall be allowed. Notwithstanding any other provision of this ordinance, any sign within the district may be either an on-site sign or off-site sign as such terms are defined in this ordinance.
- C. Applicability of the ordinance.** Immediately upon the effective date of the district specific plan adopted contemporaneously with this sign district, the rules and regulations established by this ordinance shall become applicable to the property within the district.

Section 4. Definitions.

Whenever the following terms are used in this ordinance, they shall be construed as defined in this section. The definitions set forth in this section are intended to encompass future technologies and materials which may be utilized in the construction and implementation of the permitted signs.

Aerial view sign. A sign that is applied or placed upon the roof surface, approximately parallel with the roof plane, and intended to be viewed from the sky.

Applicant. Any entity or person, submitting an application for a sign or sign support structure including for project permit compliance or modification for project permit, or for an exception, or amendment to, or interpretation of this ordinance.

Approved signs. The signs listed in ordinance and sign support structures associated with such signs, which shall be in the approximate locations shown on the conceptual sign drawings in this ordinance approved by the city council pursuant to this ordinance as the same; may be modified or amended from time to time in accordance with this ordinance.

Architectural canopy sign. A sign with individual channel letters, numbers and/or a pre-fabricated image, attached to a horizontal projection forming a architectural projection.

Banner sign. A sign that is generally constructed of fabric, canvas, metal or similar material and that is attached to a pole or building and is fixed in place.

Building face. The general outer surface, not including cornices, bay windows or architectural projections, of any exterior wall of a building.

Building frontage. The projection of the exterior building walls upon the street used for street frontage, as measured perpendicular to the edge of the street. For walls that are not parallel to the street, the building frontage shall be measured along the wall that, other than open parking spaces, has direct and unimpeded access to the street.

Channel letters. Individually cut letters, numbers or figures, illuminated or non-illuminated, affixed to a building or structure.

Conceptual sign drawings. The conceptual sign location plans, elevations, and renderings depicting the locations and types of permanent primary signs initially developed the the plan within the district and those signs that may be modified or amended from time to time in accordance with this ordinance.

Digital display. A sign face, building face, and/or any building or structural component that displays still images, scrolling images, moving images, or flashing images, including video and animation, through the use of grid lights, light emitting diode displays, plasma screens, liquid crystal displays, fiber optics, or other electronic media, or technology that is either independent of or attached to, integrated into or projected onto a building or structural component, and that may be changed remotely through electronic means.

Director. Development Services Department, successor department

Directional sign. A sign that provides wayfinding aids to pedestrian and vehicular travel

District. The soccer stadium sign district regulated by this ordinance.

Effective date. The date upon which this ordinance becomes effective.

Freestanding iconic elements. Individual structures which are generally themed in design, and are related to the soccer stadium. These structures may include commercial or noncommercial messages.

Gate identity sign. A naming rights identification sign on ticket gates, identified and illustrated in this ordinance

Hanging sign. A sign with individual channel letters and/or a fabricated sign panel that is suspended from an

architectural canopy or projection, or from other architectural element. The sign orientation may be either parallel or perpendicular to building surfaces and direction of pedestrian traffic.

Identification sign. A sign that can be used to display a company or athletic team logo, generic type of business, the name of a business, athletic team, building, or a common place name for an area.

Illuminated signs. Signs producing lighting emissions, comprised of luminous channel letter signs, front-fit signs, halo-illuminated sign and digital displays.

Information sign. A sign that can be used to display instructions, menus, selections, building names (including those buildings or areas whose names include the name of an individual or a sponsoring or corporate entity) or address numerals.

Integral digital display. A sign that: (a) consists predominately of digital display(s); (b) is attached directly to and made integral with architectural elements on the facade of a building; and (c) contains individual pixels of a digital image that are embedded into architectural components separated vertically or horizontally from one another, and are of a design that allows outward views from and within the supporting structure. Such a design may include digital mesh or netting, individual large scale illuminated pixels covering a building wall diffused behind translucent material forming an aggregate image, or horizontal or vertical LED banding integrated into the spandrels or louvers of a building's architecture, which when viewed from a distance may be read as a unified image.

Interior sign. Any sign (a) within an interior courtyard, interior concourse or interior plaza of a building or structure or (b) within or immediately adjacent to the seating or field areas of the soccer stadium intended to be viewed primarily from the general, club and premium seats within the soccer stadium, and suites and concourses within the soccer stadium. Interior signs may be incidentally visible from adjoining streets, public rights-of-way, or any publicly accessible plazas adjacent to a public right-of-way. Interior signs may include, without limitation, wall signs, digital displays, Large-scale architectural lighting, including, but not limited to other signs identified as in this ordinance.

Large-scale architectural lighting. Lighting elements placed on a significant portion of a building's facade to highlight or accentuate vertical, horizontal or other elements of the structure's architecture.

Logo. A graphic mark, emblem, representation or symbol of a name, trademark or abbreviation used by a commercial enterprise, organization and/or individual to aid and promote instant public recognition.

Marquee sign. A sign display that projects over the entrance to a building or structure.

Maximum individual sign area. The maximum sign area of each individual sign, which shall be set forth in the ordinance.

Monument sign. A freestanding sign that is erected directly upon the existing or artificially created grade, or that is raised no more than 12 inches from the existing or artificially created grade to the bottom of the sign, and that has a horizontal dimension equal to or greater than its vertical dimension.

Naming sponsor(s). The primary entity or entities (commercial or noncommercial) or persons for which the soccer stadium is/are named or identified.

Off-site sign. A sign that displays any message directing attention to a business, product, service, profession, commodity, activity, event, person, institution or any other commercial or noncommercial message, which is generally conducted, sold, manufactured, produced, offered or occurs elsewhere than within the district.

On-site sign. A sign that is other than an off-site sign.

Owner. The owner of the interest in the land within any sign zone within the district, and shall be considered to be an owner for purposes of this definition.

Pole sign. A freestanding sign that is erected or affixed to one or more poles or posts and that does not meet the requirements of a monument sign or pylon sign.

Pylon sign. A freestanding sign, consisting of rectangular sign faces or a sculptural themed shape, that is erected directly upon the existing or artificially created grade and not on any visible poles or posts, with a vertical dimension greater than the horizontal dimension.

Premises of a stadium. As used in this ordinance, for application of a stadium shall mean either of the following:

1. A venue for indoor or outdoor sports, concerts, or other events, such as soccer stadium; or
2. Any development project or district encompassing the venue, adjacent to it, or separated from it only by public or private rights-of-way, the boundaries of which have been set by the city.

Prohibited signs. A sign or device that is not allowed as a part of the Ordinance. To include billboards, inflatable signs, balloon signs, sandwich board signs, can signs, and signs or devices that emit sound or smell.

Project permit adjustment. A decision by the director granting any minor adjustment from certain regulations of this ordinance, subject to the limitations specified by this ordinance.

Project permit compliance. A determination by the director pursuant to this ordinance of a sign or structural sign support's compliance with this ordinance either as submitted or with conditions imposed to achieve compliance.

Projected image sign. A sign that projects an image on the face of a delineated wall or screen from a distant electronic device, such that the image does not originate from the plane of the wall.

Projecting sign. A sign, other than a wall sign, that is attached to a building or structure and projects outward and/or upward from the building or structure with one or more sign faces approximately perpendicular to the building face.

Projection. The distance by which a sign extends beyond the building face.

Refresh rate. The refresh rate of all digital displays and large-scale architectural lighting which shall permit images, parts and/or illumination that flash, change, move, stream, scroll, blink or otherwise incorporate motion at an unrestricted rate.

Roof sign. A sign erected upon a roof of a building and perpendicular to the ground plane and that is not an aerial view sign.

Scoreboard sign. A sign that is a major identifying site element to the specific plan area, that is on the back side of the scoreboard of the stadium and is designed to be viewed at a significant distance by vehicles and pedestrians

Sign. Any whole or part of a display board, wall, screen, projected image, object, or any other material or medium, used to announce, declare, demonstrate, display or otherwise present a message and attract the attention of the public.

Sign area. An area circumscribed by the smallest geometric shape created with a maximum of eight straight lines that will enclose all words, letters, figures, symbols, designs and pictures, together with all framing, background material, colored or illuminated areas and attention-attracting devices, forming an integral part of an individual message except that:

1. For wall signs having no discernible boundary, each of the following shall be included in any computation of surface area: (a) the areas between letters, (b) words intended to be read together; and (c) any device intended to draw attention to the sign message.
2. For spherical, cylindrical or other three-dimensional signs, the area of the sign shall be computed from the smallest two-dimensional geometrical shape or shapes, which will best approximate the greatest actual surface area visible from any one direction.
3. Sign support structures are excluded from the sign area calculation if neutral in color or are integrated into the overall sign design.

- Information signs which have less than ten percent (10%) of the sign area devoted to the logo or identification of a soccer stadium sponsor are excluded from the sign area calculation.

- Temporary. Signs are excluded from the sign area calculation.

Sign face. The surface upon which the sign message is placed.

Sign support structure. A structure of any kind or character, erected, used or maintained for a sign upon which any poster, bill, printing, painting, projected image or other message may be placed.

Sign zones. The zones established by this ordinance to regulate signs of this ordinance.

Site identity sign. A sign that can be used to identify or name entities, buildings, structures or activities, which are located or occur within the district. This shall include a sign that names entries or gateways within the district, identified as sign in appendices and as illustrated in appendix of this ordinance. A site identity sign may address, but is not limited to, locations, areas, buildings, structures, activities, soccer stadium, sponsors of the soccer stadium, athletic teams, or other activities associated with these entities and facilities. Soccer stadium identity signs shall not be considered to be a site identity sign.

Soccer stadium. A new professional soccer stadium and ancillary facilities to be located within the soccer stadium zone within the district.

Soccer stadium sign (secondary site sign). A sign that is designed to be viewed from distances by vehicles and pedestrians identified in this ordinance.

Sponsor(s). Those entities (commercial or non-commercial) or persons for which the soccer stadium is/are named or identified, and/or those entities (commercial or non-commercial) or persons for which facilities, uses, activities, products or services associated with the soccer stadium, or other tenants of the soccer stadium are named or identified. Sponsor includes the naming sponsor.

Sponsorship market plan. As used in this ordinance, and for a sponsorship market plan means an agreement between the property owner, facility owner, facility operator, or occupant of the premises of an stadium and a sponsor, pursuant to which the sponsor is allowed to include its logo, slogan, or advertising on advertising displays and that meets both of the following conditions:

- The sponsorship marketing plan is for a designated period of time.
- The sponsorship marketing plan grants the sponsor the opportunity to display its logo, slogan, or advertising in the interior of structures on the premises of an arena, or conduct promotions, public relations, or marketing activities on the premises of an arena.

Stadium district specific plan. The specific plan (or as amended) applicable to the same general area as the district.

Supergraphic. Large scale artwork applied to walls – either painted or digital vinyl that depicts images, patterns, text, or other graphic treatment. This may be considered artwork or advertising.

Temporary sign. Any sign that is to be maintained for a limited duration, including, without limitation, paper signs, projected image signs, and other signs that are not permanently affixed to the ground or building. Temporary signs shall be excluded from the calculation of total sign area and applicable zone sign area.

Total sign area. The right granted by this ordinance to construct up to xxxxx square feet of signs in accordance with the requirements of this ordinance, excluding the sign area of certain signs as set forth in this ordinance.

Vertical sign levels. The vertical levels established by this ordinance to regulate signs by vertical height as measured from adjacent grade as established in this ordinance.

Wall sign. A sign on the wall of a building or structure, with the exposed face of the sign in a plane approximately parallel to the plane of the wall, that has been attached to, painted on, or erected against the wall; or printed on any material which is supported and attached to the wall by mechanical fasteners, an adhesive or other materials or methods.

Window sign. Any sign that is attached to, affixed to, leaning against, or otherwise placed within 6 feet of a window or door in a manner so that the sign is visible from outside the building. The term window sign shall not include the display of merchandise in a store window.

Zone sign area. The right granted by this ordinance to construct up to a specified square footage of sign area within each sign zone in accordance with the requirements of this ordinance, excluding the sign area of certain signs as set forth in this ordinance.

Section 5. Procedural requirements.

A. Requirements. Austin building department shall not issue a permit for a sign, a sign structure, sign illumination, or alteration of an existing sign within the district beyond that authorized in this ordinance unless the sign complies with:

- The requirements of this ordinance as determined by the director; and
- Applicable requirements of the Austin sign code that are not otherwise superseded by this ordinance.

B. Application. An applicant requesting review of one or multiple signs for conformity with this ordinance or, if required or permitted hereby, a project permit compliance or modification thereto, a project permit adjustment, or an exception to, or interpretation of this ordinance, shall submit the following to the director in addition to those items specified in the City Code:

- Three copies of the sign plan drawn to scale, indicating the type, height, placement, lettering styles, materials, colors and lighting methods and specifying the sign zone and vertical sign level for the proposed sign(s) and indicating conformity with the requirements specified for that sign and location as set forth in this ordinance;
- A graphic depiction of the location of the sign(s) on the conceptual sign drawings;
- Architectural renderings of the proposed sign(s);
- A scaled plot plan showing the location and size of all existing and proposed signs; and
- A plan denoting illuminated signs prepared by a lighting design expert. The plan shall include maximum luminance levels, photometry denoting the distribution of lumens for the specified signage and the review and monitoring of the displays in order to ensure compliance with the regulations set forth in this ordinance.

C. Director sign-off. With respect to the following signs, only a director sign-off on the permit application shall be required prior to issuance by the building department of a building permit. Upon review and concurrence by the director that any sign described below is in compliance with the requirements of this ordinance and/or any previously approved exception, amendment or interpretation applicable thereto, the director shall stamp, sign and date the permit application plans.

- Any approved sign
- Large-scale architectural lighting approved pursuant of this ordinance.
- Any sign in a location and of a type generally consistent with the conceptual sign drawings attached as the same may be modified from time to time pursuant to this ordinance.

4. Any of the following signs and sign support structures, provided that the sign and/or sign support structure complies with the applicable requirements of this ordinance as determined by the director and the sign area of such sign does not cause the cumulative square footage of signs subject to the total sign area and applicable zone sign area calculation to exceed the total sign area and applicable zone sign area provided by this ordinance:

- a. Aerial view signs
- b. Architectural ledge signs
- c. Awning signs
- d. Banner signs
- e. Hanging signs
- f. Identification signs
- g. Monument signs
- h. Projecting signs
- i. Pylon signs, except signs that are also digital displays
- j. Roof signs
- k. Temporary signs
- l. Wall signs
- m. Super graphic sign
- n. Window signs
- o. Any other sign and/or sign support structure exceptions described in this ordinance.

D. Project permit compliance.

1. Required. Unless subject to the director sign-off process of this ordinance, the building department shall not issue a permit for the following signs unless the director has issued a project permit compliance approval pursuant to the procedures set forth in this ordinance.

2. Any sign that electronically refreshes its image, lighting or coloring

- a. Digital displays
- b. Integral digital displays
- c. Scrolling digital displays
- d. Projected image signs
- f. Soccer stadium sign (secondary site sign)
- g. Any other type of sign not listed in this ordinance.

3. Exception. No project permit compliance or modification thereto or any project permit adjustment or any exception, amendment or interpretation of this ordinance shall be required for:

- a. Construction, operation, maintenance, repair, replacement or structural alteration of any approved sign, identification sign, interior sign or temporary sign and each sign support structure associated with such signs;
- b. A change in sign advertising or sign text, images or copy;
- c. Any construction for which a permit is required in order to comply with an order issued by the building department to repair or replace an unsafe or substandard condition;

4. A modification to any sign, approved sign, any sign support structure or to the conceptual sign drawings that results in:

- a. a change of a sign from a digital display to a non-digital display, or
- b. relocation of any such sign if it is consistent with the location requirements in this ordinance complies with the zone sign area limitations in total sign area limitations of this ordinance.

5. Definitions. For purposes of any review required by this ordinance the term "specific plan," wherever used shall be deemed to refer to this Ordinance and the term "project" shall be deemed to refer,

as the case may be, to a "sign" or "sign support structure" or to the "conceptual sign plan."

6. Process: decision-making authority. Requests for project permit compliance, or modification thereto, for project permit adjustment or for an exception, amendment or interpretation of this ordinance shall be made in accordance with the procedures set forth in the City Code; provided, however, that notwithstanding the provisions of sections in each case where the area planning commission has the authority for initial review, hearing and/or approval of a request for project permit compliance, project permit adjustment, modification to a project permit compliance, or an exception, or interpretation of this ordinance, the director shall have initial decision making authority for granting each of the foregoing.

E. Findings.

A. Project permit compliance. In granting a project permit compliance approval for one or more signs and/or sign support structures, the director shall make the following findings, provided that with respect to clauses (iii) and (iv) below, which relate to the architectural design or layout of the signs and sign support structures and not to content, such findings shall be used solely to condition an approval and shall not be used to deny a request for a project permit compliance approval otherwise meeting the requirements of this ordinance:

1. the proposed sign(s) and/or sign support structure(s) comply with the applicable regulations of this ordinance and any previously or concurrently granted exception, amendment or interpretation applicable thereto;
2. the proposed sign(s) and/or sign support structure(s) incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would mitigate any potentially significant environmental effect of the sign(s) and/or sign support structure(s), to the extent physically feasible;
3. the proposed sign(s) and/or sign support structure(s) are appropriately scaled to the architectural character of all buildings and then-existing signs, and structures within the applicable sign zones; and
4. all existing and proposed signs and sign support structures result in a complementary enhancement to the architecture and open spaces of the applicable sign zone. Issuance of a project permit compliance may be conditioned consistent with the applicable regulations of this ordinance. In addition, in connection with any request for director approval of a project permit compliance pursuant this ordinance, the director may permit the use of any technology or material which did not exist as of the effective date, if the director finds that such technology or material has been subject to review.

B. Adjustments and exceptions. An application to exceed the development regulations in this ordinance with respect to any sign or sign support structure shall be processed in accordance with the procedures for project permit adjustments or for exceptions of this ordinance, as set forth in this ordinance in granting an adjustment or exception to this ordinance, the director shall make all of the following findings:

1. Strict compliance would result in practical difficulty or unnecessary hardship inconsistent with the purposes of the zoning restrictions, due to unique physical or topographic circumstances or conditions of design;
2. Strict compliance would deprive the applicant of privileges enjoyed by owners of similarly zoned property; and
3. An adjustment or exception, as applicable, would not constitute a grant of special privilege.
4. Appeals. The appeal rights set forth of the City Code shall apply to applications made under this ordinance, except as otherwise modified by this ordinance.

C. Conceptual sign drawings. The director shall refer to the conceptual sign and the regulations set forth in this ordinance to provide guidance in approving signs and/or sign support structures within the district. The conceptual sign drawings may be modified or updated in accordance with this ordinance by a director's determination upon a finding by the director that the total sign area and applicable zone sign area(s) are not exceeded and the signs depicted by such modifications comply with the regulations set forth in this ordinance, as applicable and are determined by the director to be within the envelope of the project.

Section 6. Approved signs.

This ordinance approves and authorizes the construction, operation, and use of approved signs without further discretionary action, except subject to this ordinance.

Section 7. General requirements

This ordinance approves and authorizes the construction, operation, and use of approved signs without further discretionary action, except subject to this ordinance.

A. General requirements of the City Code. The intent of this ordinance is to create a vibrant and animated district with dynamic and creative signage, including many signs that are not otherwise permitted by the City Code except as otherwise provided herein, shall be superseded by this ordinance. Unless otherwise specified in this ordinance to the contrary, the general sign requirements set forth in the City Code shall apply to this ordinance for permits, plans, design and construction, materials, and maintenance. For signs in this district, the provisions of this ordinance shall preempt the regulations in the City Code relating to height, digital displays, sign area or location. A building permit shall be obtained from building department in accordance with the applicable provisions of the City Code, for any signs, sign structures, and/or sign alterations, other than changes to or replacement of copy.

B. Permitted and prohibited signs.

1. Permitted signs. Unless specifically prohibited by this ordinance and City Code, signs defined in this ordinance
2. Prohibited signs. Except as otherwise provided, the following signs shall be prohibited:
 - a. Billboards
 - b. Can signs
 - c. Conventional plastic faced box, canister, or cabinet signs
 - d. Formed plastic faced box or injection molded plastic signs
 - e. luminous vacuum formed letters
 - f. Balloon Signs
 - g. Inflatable signs
 - h. Odor-producing signs
 - i. Sound producing signs of devices
 - j. Pole signs, except information signs
 - k. Sandwich board signs
 - l. Any sign covering the exterior of doors, vents, rescue windows or other openings that serve occupants of buildings.

C. General sign location requirements. The following general sign location provisions shall be in addition to the provisions set forth in this ordinance.

1. Location. A sign affixed to a structure shall be deemed to be in compliance with the requirements of this ordinance with respect to location if the sign's location is as depicted on the conceptual sign drawings in appendices b and c, or within 10 percent of the height or width of the facade (in feet) of that location. A freestanding sign shall be deemed to be in compliance with the requirements of this ordinance with respect to location if that sign's location is as depicted on the conceptual sign drawings in or within 15 feet horizontally from that location.

D. Interior signs. Interior signs as defined in this ordinance, including scoreboards, shall be allowed, and shall not count against the total sign area or zone sign area limitations in this ordinance; provided, however, if the back of a scoreboard sign is primarily visible from outside of the stadium, the back of the scoreboard sign shall be subject to this ordinance. Interior signs shall only be required to comply this ordinance.

E. Sign zones.

1. Primary sign zone.

- a. Allowed signs. All signs which are allowed by this ordinance shall be allowed in the primary stadium zone, except for the following signs, which shall be prohibited:
 - b. entry monument sign;
 - c. soccer stadium sign (secondary site sign)

2. Allowed sign area. The zone sign area within the primary stadium zone shall not exceed 33,000 square feet.

F. Signs on the back of the scoreboards. The sign area for signs on the back of the scoreboards within the primary stadium zone shall not exceed 7,000 square feet. No individual sign on the back of the scoreboard shall exceed 3,600 square feet.

G. Secondary stadium zone.

1. Allowed signs. All signs, which are allowed by this ordinance, shall be allowed in the secondary stadium zone, except for the following signs, which shall be prohibited:
 - a. signs on the back of the scoreboards;
 - b. soccer stadium sign (secondary site sign)
2. Allowed sign area. The zone sign area within the secondary stadium zone shall not exceed 10,000 square feet except that the sign area for the information signs, and temporary signs shall not count against this limitation.
3. Site identity signs. There shall be a maximum of 8 vehicle entry gate structures within the secondary stadium zone.

H. Soccer stadium zone. Allowed signs. All signs which are allowed by this ordinance shall be allowed in the soccer stadium zone.

1. Allowed sign area. The zone sign area within the soccer stadium zone shall not exceed 19,500 square feet except that the sign area for aerial view signs, information signs, large-scale architectural lighting and integral large-scale architectural lighting, and temporary signs shall not count against this limitation. Interior signs shall not be regulated by this ordinance and also shall not count against this limitation.

I. Soccer stadium sign (secondary site sign). One soccer stadium sign (secondary site sign) shall be allowed in the soccer stadium zone.

J. Parking lot zones. Allowed signs. All signs which are allowed by this ordinance shall be allowed in the parking lot zones, except for the following signs, which shall be prohibited:

1. digital display signs
2. Allowed sign area. The zone sign area within the parking lot zone shall not exceed 3,000 square feet. Information signs, and temporary signs shall not count against this limitation.

K. Sign area.

1. Total sign area and temporary sign rights.
2. Total sign area. The total sign area available for signs in the district shall be 40,100 square feet; provided, however, that the sign area of the following types of signs shall be excluded in the calculation of total sign area:
 - a. aerial view signs on the soccer stadium, which are regulated as to sign area pursuant this ordinance;
 - b. information signs;
 - c. interior signs, which are not regulated by this ordinance except for the review of an interior sign plan pursuant to this ordinance;
 - d. large-scale architectural lighting and integral large-scale architectural lighting, unless (a) such

lighting includes logos or (b) such lighting acts to extend a sign image background over a larger architectural area, in which event the portions of such lighting containing logos or extending a sign image shall be included in the calculation of total sign area;
e. temporary signs.

3. Temporary sign area. The maximum sign area of temporary signs authorized by this ordinance shall be 10,000 square feet

4. Maximum individual sign area. The maximum individual sign area shall be as set forth below:

Maximum individual sign area*

| Sign zone | non-digital display signs | digital display signs |
|-----------------------|------------------------------|-----------------------|
| Soccer stadium zone | | |
| Vertical sign level 1 | 1,000 sf | 500 sf |
| Vertical sign level 2 | 3,800 sf | 5,600 sf |
| Vertical sign level 3 | limited to aerial view signs | not permitted |
| Parking lot zones | | |
| Vertical sign level 1 | 500 sf | not permitted |
| Vertical sign level 2 | 500 sf | 4,000 sf |

* does not apply to aerial view signs, interior signs or temporary signs.

5. Minimum sign separation. The minimum separation between signs shall be as set forth below:

Minimum sign separation*

| Sign zone | |
|-----------------------|------|
| Soccer stadium zone | |
| Vertical sign level 1 | 4 ft |
| Vertical sign level 2 | 4 ft |
| Vertical sign level 3 | 8 ft |
| Parking lot zone | |
| Vertical sign level 1 | 4 ft |
| Vertical sign level 2 | 4 ft |

* does not apply to interior signs or temporary signs.

6. Signs within more than one sign zone or vertical sign level.

a. Signs may be located in more than one sign zone and more than one vertical sign level, provided that each portion of the sign contained in each of the sign zone or vertical sign level meets the applicable requirements of this ordinance for that sign zone or vertical sign level. In no event shall the sign area of an individual sign exceed the maximum individual sign area for the sign zone or vertical sign level in which the majority of the sign is located.

b. Adjustments for identification signs primarily located within one vertical sign level, and protruding by less than 10 linear feet into a second, more restrictive vertical sign level, may be processed to comply with the less restrictive vertical sign level requirements pursuant to a project permit adjustment of this ordinance. Where portions of a sign are subject to differing refresh rates, hours of operation or other regulations, each portion of the sign shall be subject to the applicable regulations for the vertical sign level in which that portion of the sign is located. No sign separations shall be required for a single sign, which is located in more than one sign zone or vertical sign level.

L. Illumination.

1. Generally. Signs within the district may be illuminated by either internal or external means. Methods of sign illumination may include electric fixtures, such as neon tubes; fiber optics; incandescent lamps; LED; LCD; shielded spot lights; and wall wash fixtures.

2. Regulations. Signs in the soccer stadium zone and south parking lot zone shall meet the following criteria

with respect to illumination:

3. The intensity of each sign display shall be controlled with a photocell with an adjustable set-point that measures available daylight. This setpoint shall be used to control the intensity of the sign output to either the daytime or nighttime brightness standards set forth below.

4. The brightness of any sign that includes neon, neon-like, or LED elements shall be fully dimmable and controlled by a timer, which shall be maintained in good working order.

5. All illuminated signs shall be designed, located, and/or screened so as to minimize light travel onto the exterior walls of residential units and the public right-of-way.

6. All LED used within any illuminated sign shall have a maximum horizontal beam spread of 165 degrees. The maximum or peak light output of any sign shall be at or below horizontal.

7. The following additional illumination standards shall apply to all illuminated signs in the soccer stadium zone and parking lot zones:

- Illuminance from signs shall not exceed 0.6 foot candles above ambient illuminance.
- all illuminated signs shall have a brightness after sunset and before sunrise of no greater than 600 candelas per square meter.
- all digital display signs shall transition smoothly at a consistent rate from the daytime brightness to the permitted nighttime brightness levels, beginning 45 minutes prior to sunset and concluding 45 minutes after sunset.
- Sign brightness and illuminance shall be measured for each sign individually at an angle that is within 6 degrees of perpendicular to the sign face, and from a distance as defined by the following formula: measurement distance (in feet) = $\sqrt{\text{display area} \times 100}$ where display area is the area of the sign display in square feet.

8. Measurements shall be performed by a testing agency approved by the department of building and safety, and shall be paid for and submitted by the owner of the sign when requested by that department.

9. Refresh rate. The minimum required controlled refresh rate for signs in the soccer stadium zone and south parking lot zone shall be as follows:

- The non-controlled refresh rate shall apply to digital displays identified as signs of this ordinance.
- Scrolling digital displays shall be subject to the scrolling animated refresh rate.
- Except as described in clauses (a) and (b) above, all digital displays shall be subject to controlled refresh rate.
- The copy of projected image signs shall be subject to controlled refresh rate.
- Large-scale architectural lighting and integral large-scale architectural lighting shall be subject to controlled refresh rate except that such lighting may be subject to the non-controlled refresh rate for such lighting that qualifies as interior signs as defined in this ordinance and lighting for certain special events if authorized by a determination of the director.
- Other than digital displays, integral digital displays, scrolling digital displays, projected image signs, large-scale architectural lighting, integral large-scale architectural lighting and temporary signs, all signs and lighting shall remain static.

10. Sign hours of operation.

- Non-digital displays shall not be subject to restriction on hours of operation.
- The hours of operation for digital displays and integral digital displays in the soccer stadium zone and south parking lot zone shall be as set forth except that when an event is held in the soccer stadium, such signs shall be turned off two hours following the end of the event or at 12:00 am (midnight), whichever is later. In no instance, regardless of the end time of the event, shall such signs operate past 2:00 am, except for digital display sign dd.05, which shall be turned off at 11:00 pm everyday including on event days.
- Digital display signs shall only be operated (i) on days when an event is held in the soccer stadium; and on days when special events occur in connection with those special events, which shall be coordinated through an event hospitality management plan to be developed and implemented by the applicant and the

office of exposition park management.

Permitted hours of operation for digital displays*

| Sign zone and Vertical sign level | controlled refresh rate | non-controlled refresh rate |
|--------------------------------------|-------------------------|-----------------------------|
| Soccer stadium zone | | |
| Vertical sign level 1 | dawn to 12:00 am | dawn to 12:00 am |
| Vertical sign level 2 | dawn to 12:00 am | dawn to 12:00 am |
| Vertical sign level 3 | not permitted | not permitted |
| Parking lot zones | | |
| Vertical sign level 1 | dawn to 12:00 am | not permitted |
| Vertical sign level 2 | dawn to 12:00 am | not permitted |

M. Materials. The materials, construction, application, location and installation of any sign shall be in conformity with the building code and the fire code and shall be subject to the following requirements:

1. Signs shall not use highly reflective materials such as mirrored glass
2. A sign that is comprised of vinyl or other material may be attached to a wall with an adhesive approved by the fire department or by mechanical means approved by building code.
3. Signs comprised of mylar or other film-like transparent material, such as perforated vinyl, may be applied directly to windows using materials approved by the fire department.
4. All new signs and sign support structures shall be made of noncombustible materials or plastics approved by both the fire department and building codes. In the case of new or untested materials, the applicant shall submit a sample of a sign's material to both the fire department and building department for approval.

N. Visual maintenance. All signs shall be maintained to meet the following criteria at all times:

1. The building and ground area around all signs shall be properly maintained. All unused mounting structures, hardware, and wall perforation from any abandoned sign shall be removed and building surfaces shall be restored to their original condition.
2. All sign copy shall be properly maintained and kept free from damage and other unsightly conditions, including graffiti.
3. All sign support structures shall be kept in good repair and maintained in a safe and sound condition and in conformity with all applicable codes.
4. Razor wire, barbed wire, concertina wire, or other barriers preventing unauthorized access to any sign, if any, shall be hidden from public view.
5. The sign copy must be repaired or replaced immediately upon tearing, ripping, or peeling, or when marred or damaged by graffiti.
6. No access platform, ladder, or other service appurtenance, visible from the sidewalk, street, or public right-of-way, shall be installed or attached to any sign support structure.
7. Signs that are no longer serving the current tenants, including sign support structures, shall be removed and the building facades originally covered by the signs shall be repaired and/or resurfaced with materials and colors that are compatible with the facades.
8. Any sign that includes individual or corporate names as part of the building identification shall be designed so as to present internally consistent and internally proportionate sign copy.
9. Signs that include individual or corporate names shall utilize lettering size and styles which are generally

uniform, in order that all words or names within the sign are not of a significantly different scale than the rest of the sign copy.

Section 8. Standards for specific types of signs.

A. Aerial view signs.

1. General. Aerial view signs shall be limited to the roof structures of the soccer stadium and the roof of the ancillary areas of the soccer stadium as shown on the conceptual sign drawings.
2. Area
 - a. Aerial view signs on the soccer stadium shall not individually exceed 2,200 square feet and shall not collectively exceed 9,300 square feet.
 - b. Aerial view signs shall not be included in the zone sign area or total sign area

B. Architectural canopy signs.

1. General.
 - a. Individual letters or numbers no taller than 8 feet or a logo no taller than 8 feet may stand atop a canopy.
 - b. Solid panels are not permitted as architectural canopy signs.
 - c. Architectural canopy signs shall be oriented so that the message, graphic, or symbol on the sign is approximately parallel with the facade of the structure to which the sign is affixed.
2. Dimensions.
 - a. Height. The bottom of the canopy on which a sign is located shall be at least 8 feet 0 inches above the natural or finished grade as measured vertically. The bottom most portion of a sign suspended from an architectural canopy shall be at least 8 feet 0 inches (8'-0") above the natural or finished grade as measured vertically.
 - b. Suspension. Supports that are constructed for the purpose of supporting an architectural canopy sign may not exceed 36 inches in height as measured vertically from the top of the letter or symbol to the bottom of the supporting architectural appurtenance, nor may those supports exceed 12 inches in width as measured horizontally.
3. Projection. A canopy designed to support an architectural canopy sign may project a maximum of 48 inches from the building face where the sign is located.

C. Banner signs.

1. General.
 - a. Banner signs shall be used to identify events, facilities, activities or sponsors associated with the soccer stadium, naming sponsor(s), tenants of the soccer stadium.
 - b. Banner signs may be erected for an unlimited period of time and may be changed from time to time and are not restricted by the time period for temporary signs.
 - c. A maximum of 25 percent of a banner sign may contain a commercial logo, company name and/or other commercial message; provided, however, the soccer stadium, and naming sponsor(s) shall not be subject to the 25 percent limitation.
2. Location.
 - a. Banner signs may be attached to a building and poles, but will not cover doors, vents, rescue windows, or other openings that serve occupants of the building.
 - b. Banner signs shall not be attached to walls or windows with adhesive but will use mechanical fasteners and hanging devices specifically meant for banners.

D. Digital displays.

1. General. Digital displays shall be subject to the refresh rate and illumination regulations set forth in this ordinance.
2. Location.

- a. Digital display signs in the soccer stadium zone may be located as shown on conceptual sign drawings except for variations from such locations as allowed by this ordinance.
 - b. A freestanding digital display sign with two sign faces may be located in the northeast corner of the soccer stadium zone as shown on conceptual sign drawings.
 - c. A freestanding digital display sign with two sign faces may be located in the southeast corner of the south parking lot zone with sign faces directed east and west as shown on conceptual sign drawings.
 - d. Digital displays that are interior signs shall not be subject to regulation by this ordinance.
 - e. Notwithstanding subparagraph (a) above, the freestanding digital display signs shall be limited to a maximum of five (5) signs along the east side of the soccer stadium and eight (8) signs along the north side of the soccer stadium as shown on conceptual sign drawings.
3. Illumination. Digital displays that are not interior signs shall comply with the illumination requirements of this ordinance.

E. Directional Signs.

- 1. General.
 - a. A directional sign may take the form of any type of sign permitted by this ordinance.
 - b. Sign area. The sign area of individual signs may vary in size from the sign areas listed in this ordinance.
- 2. Location.
 - a. Directional signs may be located in all sign zones unless restricted by regulations in this ordinance applicable to the particular type of sign.
 - b. Directional signs located along new access roads into the stadium area from the west from Burnet Rd. and east at Braker Ln. Directional signs along the panhandle access road from the north and south from McKetta Pl. are also permitted in this ordinance.

F. Hanging signs.

- 1. General.
 - a. A hanging sign shall consist of individual letters, numbers, logos or panels no taller than 72 inches; provided that within the first 20 feet above finished grade, individual letters or numbers and logos shall not exceed 24 inches in height. Such letters, numbers, or logo shall be suspended from a canopy or other architectural surface.
 - b. Hanging signs shall be oriented so that the message, graphic, or symbol on the sign is approximately parallel or perpendicular with the facade of the structure to which the sign is affixed.
- 2. Dimensions. The lowest portion of a suspended hanging sign shall be at least 8 feet 0 inches above the finished grade as measured vertically.
- 3. Projection. A structure or architectural surface designed to support a hanging sign may project a maximum of 48 inches from the building face where the sign is located.

G. Identification signs.

- 1. General. An identification sign may take the form of any type of sign permitted by this ordinance.
- 2. Sign area. The sign area of individual signs may vary in size from the sign areas listed in this ordinance.
- 3. Location. Identification signs may be located in all sign zones unless restricted by regulations in this ordinance applicable to the particular type of sign.

H. Information signs.

- 1. Location. Information signs shall not be limited as to location, except that information signs that are pylon signs shall not interfere or present a hazard to pedestrian or vehicular traffic.

I. Interior signs.

- 1. General. Interior signs shall not be regulated by this ordinance except that prior to any permit issuance of

a certificate of occupancy for the soccer stadium, the applicant shall submit to the director an interior signage plan for review and approval indicating size, placement, and lighting methods for all interior signs to confirm:

- a. That all interior signs are consistent with the definition of interior sign provided in this ordinance; and
- b. That no interior sign conflicts with any other applicable regulations in this ordinance.

J. Large-scale architectural lighting and integral large-scale architectural lighting.

- 1. General.
 - a. Large-scale architectural lighting may serve to highlight or accentuate vertical, horizontal, or other elements of the structure and may be multi-hued and may mark special seasons, weather, or events with unique color arrangements.
 - b. Large-scale architectural lighting may be approved at the time of building design development by a director's determination, and if so approved, shall not be subject to the requirements of this ordinance.
 - c. Integral large-scale architectural lighting is a subset of large-scale architectural lighting and shall be regulated as large-scale architectural lighting except as otherwise specifically set forth in this ordinance.
- 2. Refresh rate.
 - a. On the exterior of the soccer stadium, large-scale architectural lighting shall be consistent with controlled refresh rate and shall be considered a non-animated lighting element.
 - b. In the interior of the soccer stadium, large-scale architectural lighting may have a non-controlled refresh rate and may be utilized in an animated fashion.
- 3. Area. Large-scale architectural lighting shall be exempt from the calculation of zone sign area and total sign area for purposes of this ordinance, except that large-scale architectural lighting that acts to extend a sign image back ground over a larger architectural area shall be included in the calculation of zone sign area and total sign area.

K. Marquee signs.

- 1. General.
 - a. Marquee signs may be digital display or non-digital display signs.
 - b. Wall signs located on any marquee shall be affixed to and shall not extend above or below the structure comprising the marquee.

L. Monument signs.

- 1. Area. Monument signs shall not be limited in individual sign area, except as may be limited by this ordinance.
- 2. Height. Monument signs shall be limited to a maximum overall height of 8 feet above the natural or finished grade as measured vertically.
- 3. Location. There shall be no limitation on the location of a monument sign relative to any another sign, except that the location of any monument sign shall not interfere or present a hazard to pedestrian or vehicular traffic.

M. Projected image signs.

- 1. General.
 - a. Projected image signs shall not be classified as digital signs for implementation of this ordinance.
 - b. Projected image signs shall be subject to the refresh rates of this ordinance.

N. Projecting signs.

1. General.

- a. The text, message or logo on a projecting sign shall consist of individual, dimensional letters or graphic elements that are applied onto the sign surface.
- b. No text, message or logo shall be permitted on that portion of a projecting sign that is parallel to the building face.

2. Location.

- a. A projecting sign shall align with major building elements such as cornices, string courses, window banding, or vertical changes in material or texture.
- b. There shall be a minimum distance of 20 feet, measured horizontally, between a projecting sign and any other type sign, except for a identification sign, information sign, wall sign, window sign.

3. Dimensions.

- a. A projecting sign shall not exceed 80 feet in height as measured vertically from the bottom of the sign to the top of the sign.
- b. The width of the sign face of a projecting sign that is perpendicular to the building shall not exceed 20 percent of the overall height of the sign and in no event shall exceed 6 feet. This measurement does not include the dimensions of the sign's supporting structure.
- c. No portion of a projecting sign that is parallel to the building face shall exceed 48 inches in width.

4. Extension above the roof. A projecting sign may extend above the top of the wall or roof parapet of a building face but the extension shall not exceed 30 percent of the total vertical height of the projecting sign. In no event shall a projecting sign extend higher than 120 feet from grade.

O. Pylon signs.

1. Location.

- a. A pylon sign shall be set back at least 10 feet from an intersection of two roadways and/or a driveway and roadway and shall not interfere with or present a hazard to pedestrian or vehicular traffic.
- b. There shall be no limitation on the location of a pylon sign relative to any another sign, except that the location of the pylon sign shall not interfere or present a hazard to pedestrian or vehicular traffic.

2. Dimensions. A pylon sign shall not exceed the dimensions proportions of this ordinance.

P. Roof signs.

1. General. Roof signs shall consist of freestanding channel letters, characters or logos that are not applied or attached to any background structure, building, or material, except as necessary for support.
2. Height. Roof signs shall not exceed 96 inches in height.
3. Location. The plane of the sign face of a roof sign shall be approximately parallel to the building face.

Q. Scrolling digital displays.

1. Location.

- a. A scrolling digital display shall be allowed only in the soccer stadium zone.
- b. A scrolling digital display shall not cover the exterior of doors, vents, rescue windows or other openings that serve occupants of buildings.
- c. The uppermost portion of a scrolling digital display shall be a maximum of 50 feet above the natural or finished grade as measured vertically.

2. Height. A scrolling digital display sign shall not exceed 10 feet in vertical height dimension.

R. Site identity signs.

1. Location. Two vehicle entry gate structures located at access road and primary road intersections, as a part of the stadium area which shall only be located at the perimeter entrances to the district of this ordinance and may be used for naming sponsor(s).

S. Soccer stadium sign.

1. General. One soccer stadium sign shall be allowed in the soccer stadium zone.

2. Location. The soccer stadium sign shall be generally located as shown on the conceptual sign drawings of this ordinance, except that the final orientation and placement of the sign may be adjusted up to 50 feet horizontally as part of the director's consideration of the project permit compliance for this sign required by this ordinance.

3. Height. The soccer stadium sign may be a maximum of 100 feet in height, as measured from adjacent grade. Adjacent grade shall include any earthen berm that is provided as a foundation for the sign.

4. Sign area. The soccer stadium sign may be multi-sided. The sign area for the soccer stadium sign shall not exceed a combined sign area of 1,000 square feet.

5. Dimensions. The soccer stadium sign shall have a 3.5:1 vertical to horizontal orientation.

6. Landscaping. Landscaping shall be provided at the base of the sign, and a landscaping plan shall be approved by the director prior to issuance of a building permit for the sign.

7. Design. The soccer stadium sign shall be free-standing and mounted on the ground. Columns, poles or up rights used as its primary structural support shall be architecturally treated and themed. The soccer stadium sign may incorporate a sculptural or themed shape or other types of sign elements allowed by this ordinance, including, but not limited to, digital display and channel letters.

T. Temporary signs.

1. General.

- a. Temporary signs shall not include banner signs.
- b. Temporary signs shall be removed within 180 days of installation.
- c. Temporary signs shall not be included in the calculation of zone sign area or total sign area.
- d. Temporary construction signs on temporary construction walls shall comply with the City Code; provided, however, there shall be no sign area limitation, height limit or time limit for temporary construction signs on temporary construction walls.

2. Location.

- a. Temporary signs may be located in all sign zones.
- b. Temporary signs may be temporarily affixed to windows and/or on the walls of buildings, fences or other improvements, unless otherwise prohibited by this ordinance.

U. Wall signs.

1. Sign area. An individual wall sign shall not exceed 3,800 square feet in sign area.

2. Location. The location of a wall sign, with the exception of temporary signs, shall be in the location(s) shown on the conceptual sign drawings or in such other location as may be approved pursuant to this ordinance.

V. Scoreboard sign.

1. General. Up to two scoreboard signs at opposite ends of the stadium are allowed by this ordinance. The scoreboard signs may incorporate other types of sign elements allowed by this ordinance, including but not limited to, digital display and channel letters.

W. Window signs.

1. General.
 - a. Window signs shall not be affixed to the exterior of a window.
2. Location. No portion of any window sign shall be located higher than 35 feet above grade.
3. Sign area.
 - a. Window signs located on or within 6 feet of the window plane, painted or attached, shall not exceed 15 percent of the glassed area of the window in which the window sign is placed.
 - b. The aggregate area of all window signs shall be included in zone sign area and the total sign area.

Section 10. Interpretation.

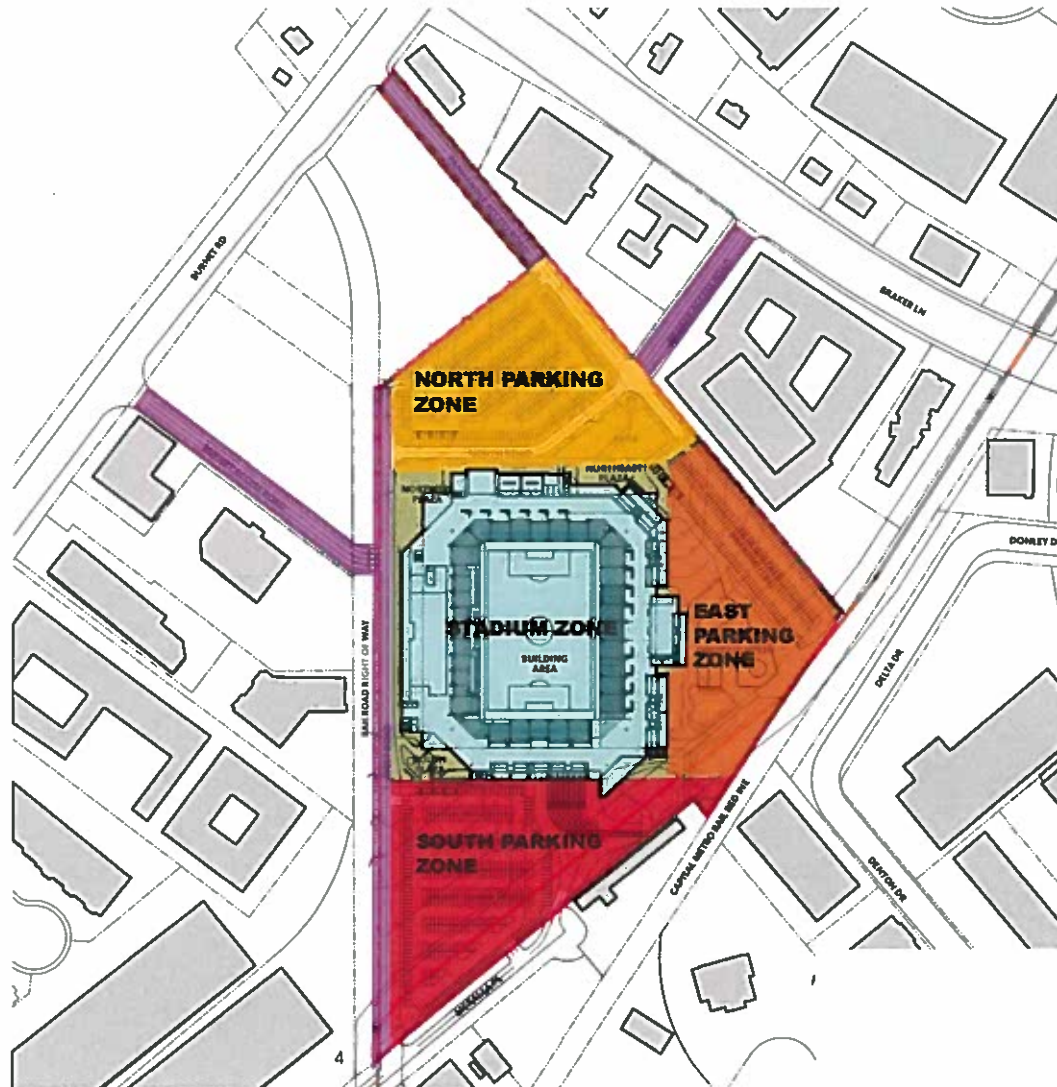
Whenever any ambiguity or uncertainty exists related to this ordinance or the application of this ordinance so that it is difficult to determine the precise application of these provisions, the director shall, upon application by an owner, operator or lessee, issue written interpretations on the requirements of this ordinance consistent with the purpose and intent of this ordinance. A request for an interpretation shall be filed.

Section 11. Severability.

If any provision of this ordinance or its application to any person or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the invalidity shall not affect other provisions, clauses or applications of said ordinance, which can be implemented without the invalid provision, clause or application, and to this end, the provisions and clauses of this supplemental use district ordinance are declared to be severable.

SIGN ZONES

- STADIUM ZONE
- NORTH PARKING ZONE
- EAST PARKING ZONE ZONE
- SOUTH PARKING ZONE
- ACCESS ROADS

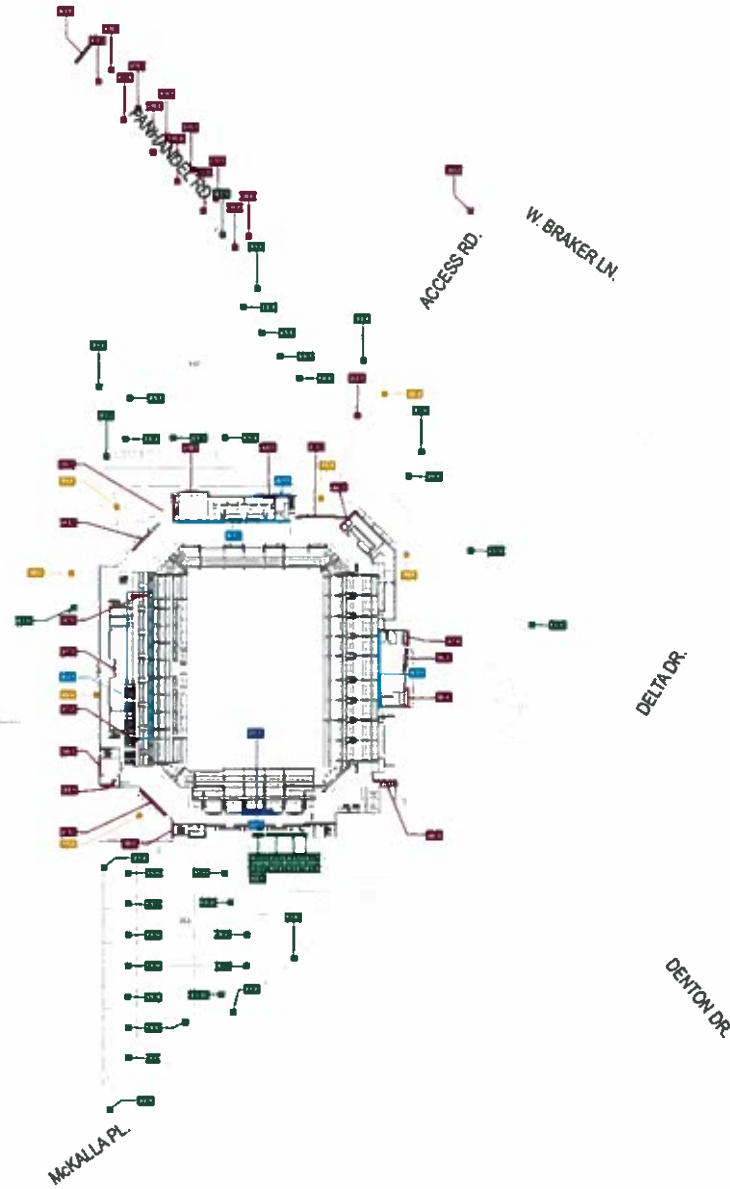


SITE PLAN

LEGEND

- 101 STADIUM ENTRY SIGN
- 102 STADIUM ID PYLON
- 103 STADIUM ID SECONDARY
- 104 A.F.C. BRAND ID
- 105 BUILDING ORIENTATION
- 106 CLUB IDENTIFICATION
- 107 V.P. LOBBY IDENTIFICATION
- 108 V.P. OFFICE IDENTIFICATION
- 109 TEAM STORE IDENTIFICATION
- 110 PROCESSIONAL BANNER
- 111 CATS IDENTIFICATION
- 112 PARKING ENTRANCE ID PYLON
- 113 VEHICLE AND REGIONAL
- 114 LEADING DOOR ID
- 115 OVERHEAD CLEARANCE
- 116 PARKING ID ID
- 117 PLAZA PYLON ID REGIONAL
- 118 PEDESTAL DIRECTORIAL
- 119 FACADE GRAPHIC/SCULPTURE
- 120 STADIUM NAMING RIGHTS
- 121 AREA VISION STADIUM ID
- 122 SCORE BOARD

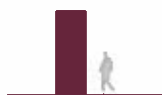
BURNET RD.
ACCESS RD.



Exterior Identification



A1 ⚡
Stadium Entry -
Gantry Sign



A2 ⚡
Stadium ID -
Pylon



A3 ⚡
Stadium ID - Off-Site
Secondary



A4 ⚡
Austin FC Brand ID
Wallmounted



A5
Rules and Regulations



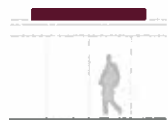
A6
Artist Mural



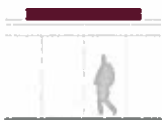
A7 ⚡
Club Identification
Wallmounted



A8
VIP Lobby Identification



A9 ⚡
Box Office ID



A10 ⚡
Team Store ID



A11
Processional Banners



A12
Gate Brand Identification



A13 ⚡
Gate Identification

Exterior Vehicular



B1 ⚡
Parking Entrance ID -
Pylon



B2 ⚡
Vehicular Directional



B3
Loading Dock ID



B4
Overhead Clearance



B5
Parking Lot ID

Exterior Pedestrian



C1
Pedestrian Pylon -
Freestanding



C2
Small Pedestrian Directional -
Freestanding

⚡ Electrical Required ⚡ Data Required

Interior Identification



D1
Concession Identification



D2
Amenity Blade Sign



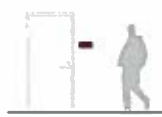
D3
Restroom ID - Title 24



D4
Restroom ID - ADA



D5
FOH Room - ID



D6
BOH Room - ID



D7
Distraction Markers

Club/Suite Interior ID



E1
Club Identification



E2
Club/Suite Identity - Identification



E3
Club/Suite Section Identification



E4
Club/Suite Directional - Wall Mounted



E5
Club/Suite Room ID



E6
Club/Suite Distraction Markers



E7
Club Railing Section Identification

Interior Wayfinding



W1
Overhead Directional



W2
Stair Section Identification



W3
Upper Bowl Section Identification



W4
Lower Bowl Section Identification



W5
Column Directional



W6
Directional Wallmount



W7
Map Identification



W8
Seating Section Identification






W9
Railing Section Identification



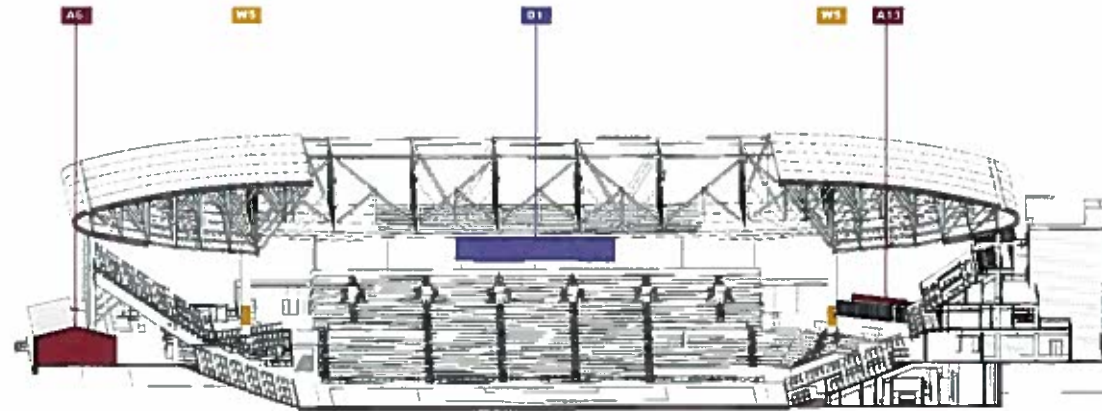
W10
Supporters Section Identification

⚡ Electrical Required ⚙ Data Required

| | | | | | | |
|--|---|--|--|--|--|---|
|  <p>R1 Max Occupancy</p> |  <p>R2 Exit Route</p> |  <p>R3 FOH Elevator Evac Map</p> |  <p>R4 BOH Elevator Evac Map</p> |  <p>R5 Stair Identification</p> |  <p>R6 Stairwell Evacuation Plan</p> |  <p>R7 Elevator Door Jamb</p> |
|  <p>R8 No Smoking</p> |  <p>R9 Ramp Accessible Symbol/ Accessible Directional</p> |  <p>R10 Doors To Remain Open During Business Hours</p> | | | | |

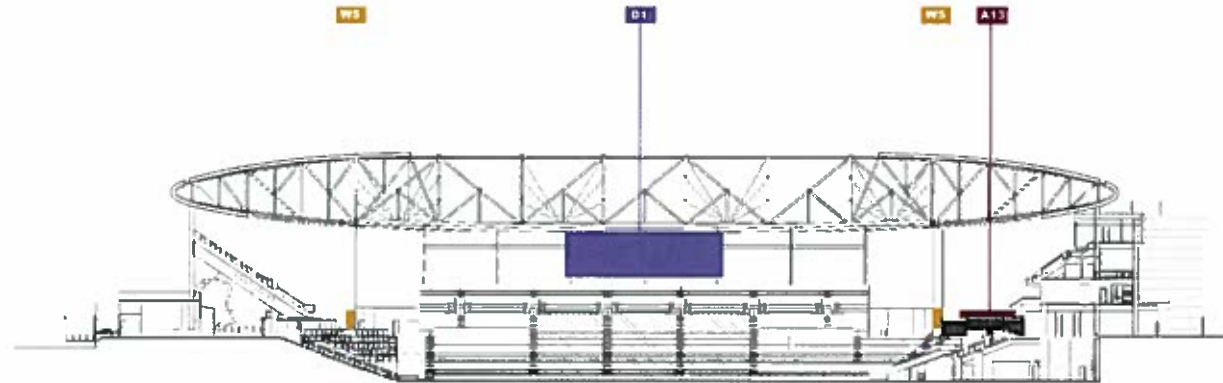
⚡ Electrical Required 📊 Data Required

SOUTH ELEVATION



2 06 OVERALL BOWL - SOUTH 3D

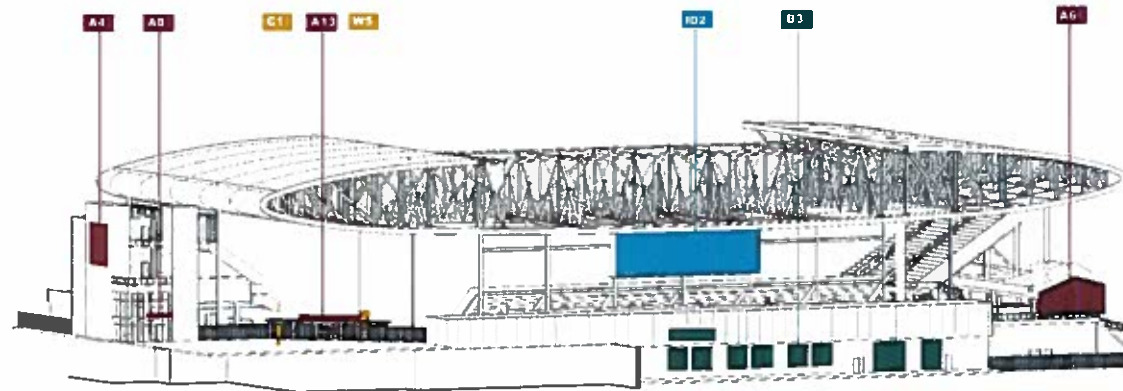
SCALE



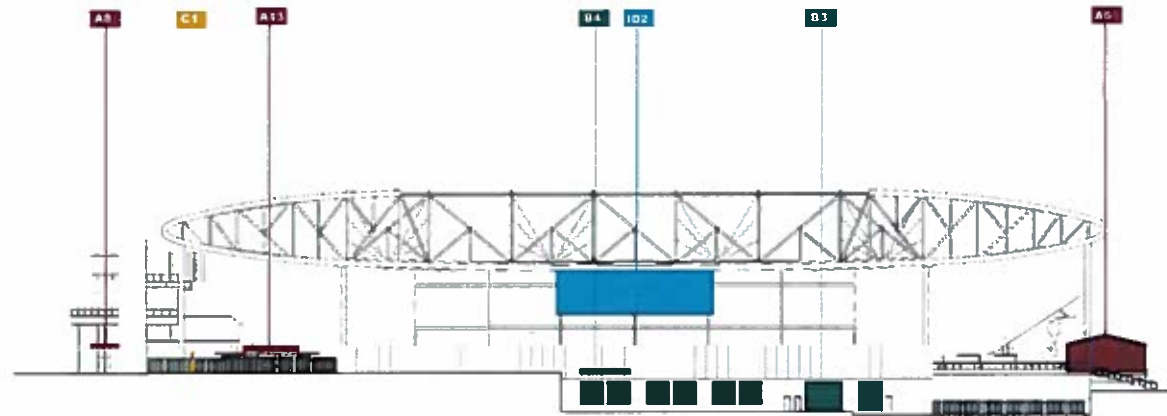
1 06 OVERALL BOWL ELEVATION - SOUTH

SCALE: 1/8" = 1'-0"

SOUTH ELEVATION

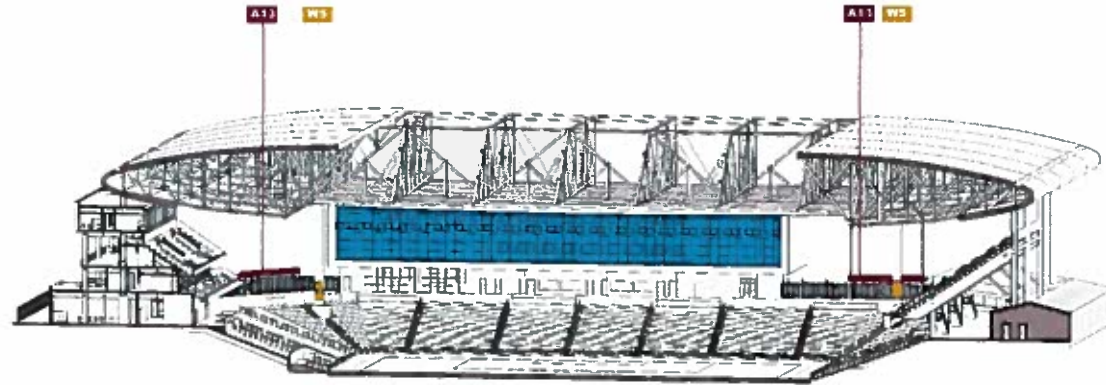


4 06 OVERALL EXTERIOR - SOUTH 3D

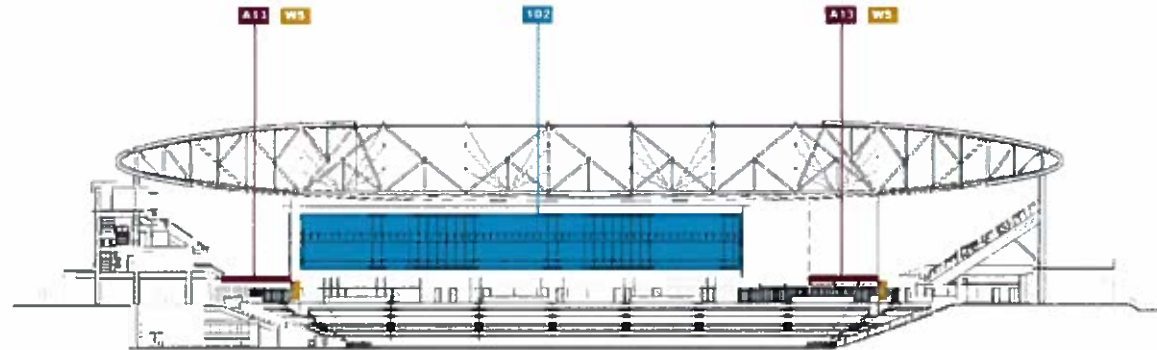


3 06 OVERALL EXTERIOR ELEVATION - SOUTH

NORTH ELEVATION

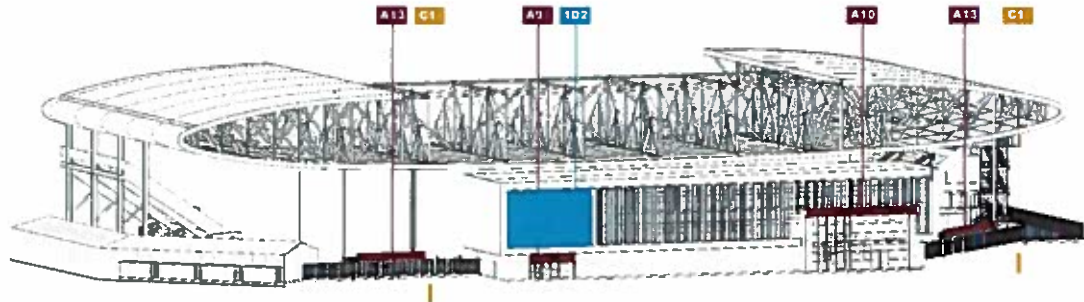


2 06 OVERALL BOWL - NORTH 3D

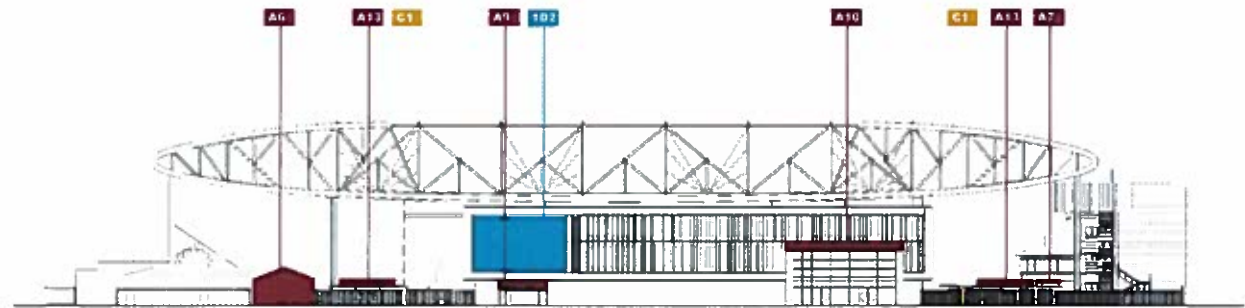


1 06 OVERALL BOWL ELEVATION - NORTH

NORTH ELEVATION

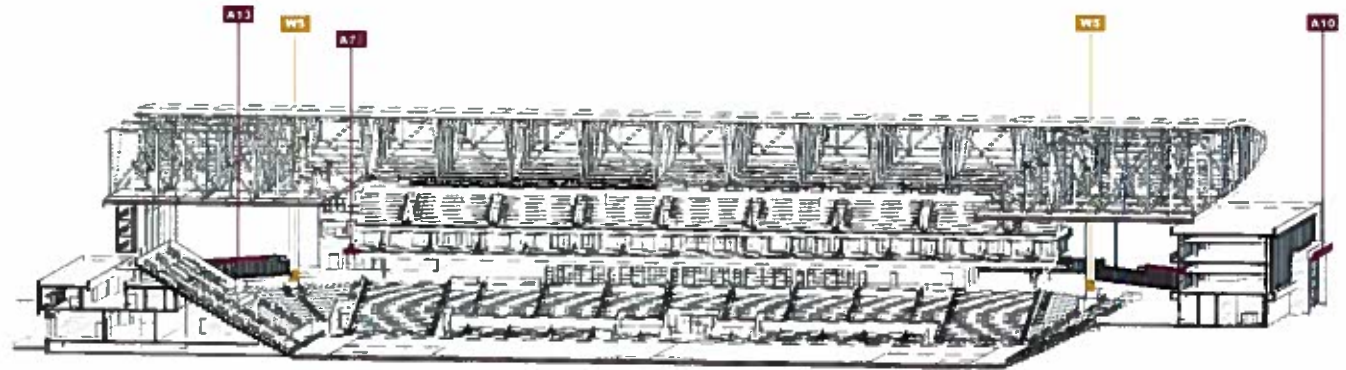


4 06 OVERALL EXTERIOR - NORTH 3D

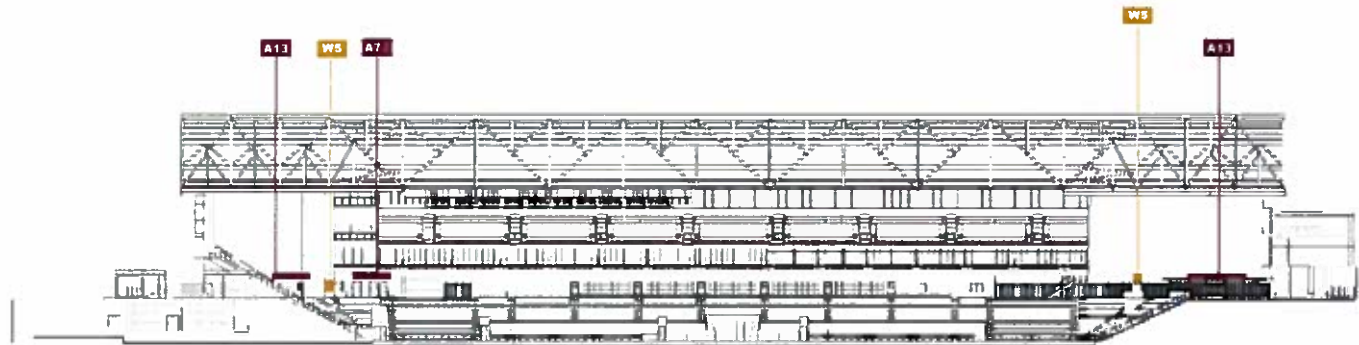


3 06 OVERALL EXTERIOR ELEVATION - NORTH

WEST ELEVATION

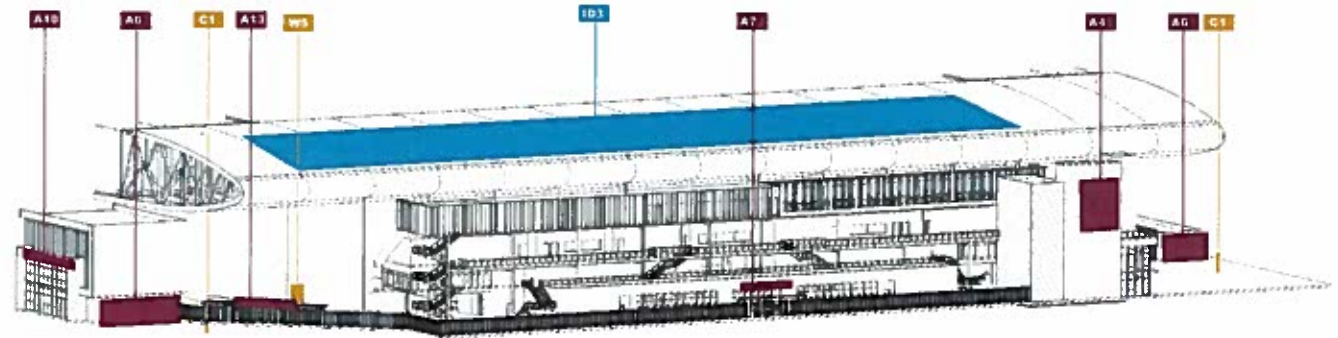


2 06 OVERALL BOWL - WEST 3D

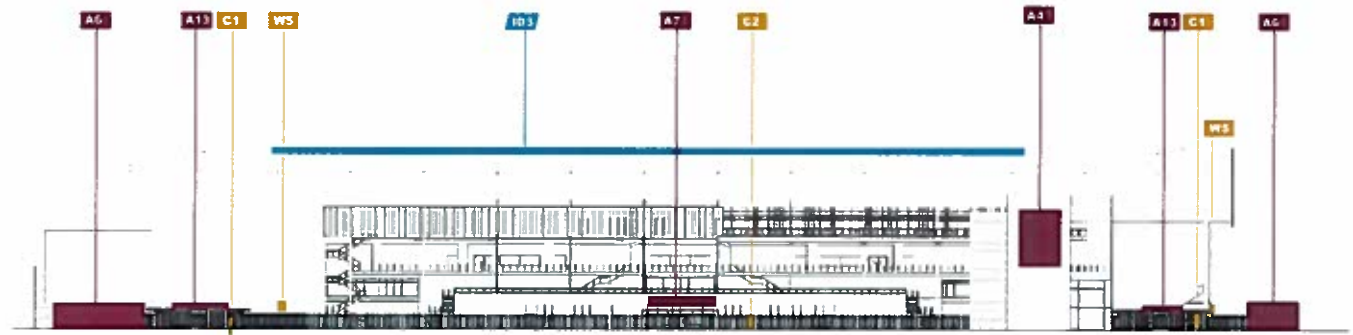


1 06 OVERALL BOWL ELEVATION - WEST

WEST ELEVATION

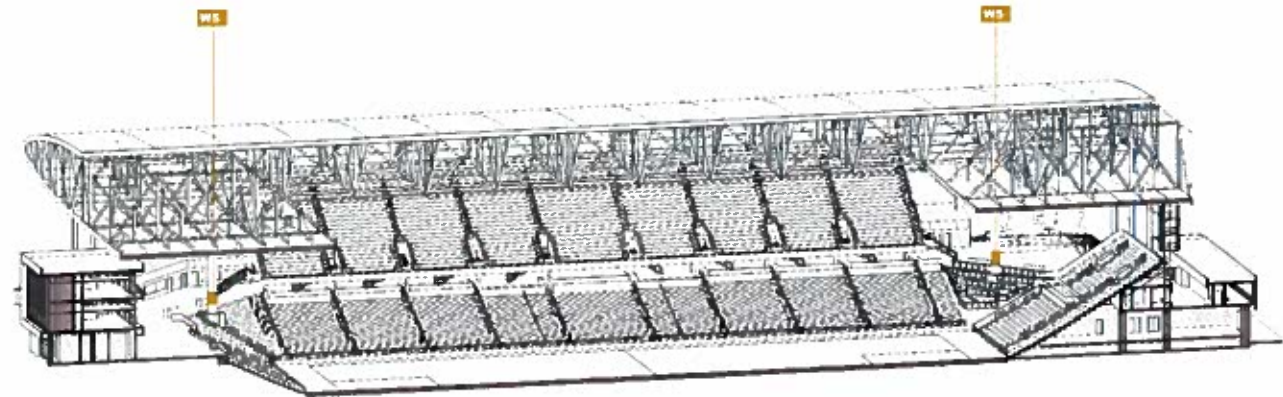


4 06 OVERALL EXTERIOR - WEST 3D
SCALE



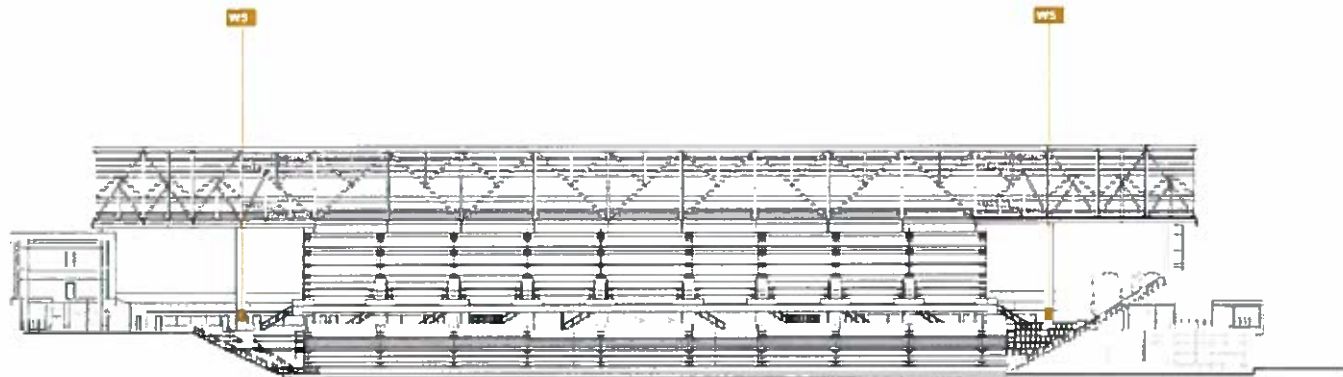
3 06 OVERALL EXTERIOR ELEVATION - WEST
SCALE 1/8" = 1'-0"

EAST ELEVATION



2 06 OVERALL BOWL - EAST 3D

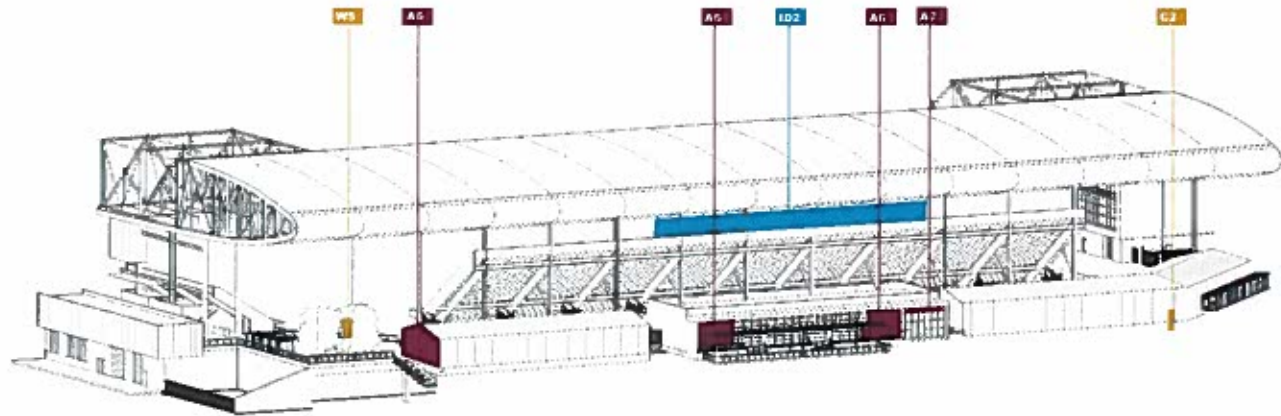
SCALE



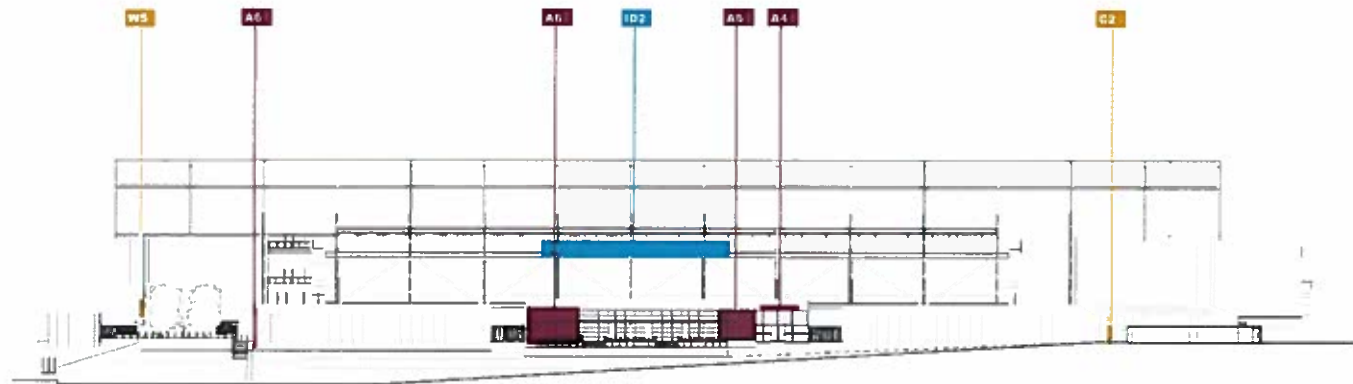
1 06 OVERALL BOWL ELEVATION - EAST

SCALE: 1/8" = 1'-0"

EAST ELEVATION



4 06 OVERALL EXTERIOR - EAST 3D



3 06 OVERALL EXTERIOR ELEVATION - EAST

AUSTIN FC

| SIGN TYPE | SIGN LOCATION | SIGN DESCRIPTION (Primary) | SIGN DESCRIPTION (Secondary) | HEIGHT | WIDTH | HEIGHT ABOVE GROUND | AREA | SF | ELECTRICAL/DATA | NOTES |
|-----------|------------------------|----------------------------|------------------------------|--------|---------|---------------------|--------|----|-----------------|--|
| A101 | NORTH PANHANDLE ROAD | STADIUM ENTRY ID | GANTRY/MARQUEE | 28'-8" | 112'-0" | 23'-0" | 3,000 | SF | Yes | 8 Second Static Image; Instant Refresh |
| A201 | NORTH EAST ENTRY PLAZA | STADIUM ENTRY ID | PYLON | 20'-0" | 4'-0" | 20'-0" | 160 | SF | Yes | |
| A301 | BRUNET ACCESS RD. | STADIUM ENTRY ID | PYLON | 20'-0" | 4'-0" | 20'-0" | 160 | SF | Yes | |
| A302 | BRAKER ACCESS RD. | STADIUM ENTRY ID | PYLON | 20'-0" | 4'-0" | 20'-0" | 160 | SF | Yes | |
| A401 | WEST ELEVATION | AUSTIN FC BRAND ID | WALL | 30'-0" | 24'-0" | 34'-0" | 700 | SF | No | |
| A601 | WEST ELEVATION | ART/MURAL OPPORTUNITY | WALL | 14'-0" | 50'-0" | 14'-0" | 655 | SF | No | |
| A602 | NORTH ELEVATION | ART/MURAL OPPORTUNITY | WALL | 20'-0" | 32'-0" | 20'-0" | 582 | SF | No | |
| A603 | EAST ELEVATION | ART/MURAL OPPORTUNITY | WALL | 16'-0" | 20'-0" | 16'-0" | 314 | SF | No | |
| A604 | EAST ELEVATION | ART/MURAL OPPORTUNITY | WALL | 20'-0" | 28'-0" | 20'-0" | 538 | SF | No | |
| A605 | SOUTH ELEVATION | ART/MURAL OPPORTUNITY | WALL | 20'-0" | 42'-0" | 20'-0" | 725 | SF | No | |
| A606 | SOUTH ELEVATION | ART/MURAL OPPORTUNITY | WALL | 14'-0" | 28'-0" | 14'-0" | 400 | SF | No | |
| A701 | WEST ELEVATION | WEST CLUB ID | WALL | 1'-6" | 13'-0" | 10'-0" | 20 | SF | No | |
| A702 | WEST ELEVATION | WEST CLUB ID | WALL | 5'-0" | 38'-0" | 10'-0" | 180 | SF | No | |
| A703 | WEST ELEVATION | WEST CLUB ID | WALL | 1'-6" | 13'-0" | 10'-0" | 20 | SF | No | |
| A704 | EAST ELEVATION | EAST CLUB ID | WALL | 2'-0" | 20'-0" | 10'-0" | 40 | SF | No | |
| A801 | SOUTH ELEVATION | VIP LOBBY | WALL | 2'-0" | 16'-0" | 12'-0" | 32 | SF | No | |
| A901 | NORTH ELEVATION | BOX OFFICE ID | WALL | 4'-0" | 62'-0" | 30'-0" | 130 | SF | No | |
| A1001 | NORTH ELEVATION | TEAM STORE ID | WALL | 3'-0" | 30'-0" | 10'-0" | 188 | SF | No | |
| A111 | NORTH PANHANDLE ROAD | ENTRY PROCESSIONAL BANNERS | POLE MOUNTED | 6'-0" | 2'-0" | 16'-0" | 12 | SF | No | |
| A112 | NORTH PANHANDLE ROAD | ENTRY PROCESSIONAL BANNERS | POLE MOUNTED | 6'-0" | 2'-0" | 16'-0" | 12 | SF | No | |
| A113 | NORTH PANHANDLE ROAD | ENTRY PROCESSIONAL BANNERS | POLE MOUNTED | 6'-0" | 2'-0" | 16'-0" | 12 | SF | No | |
| A114 | NORTH PANHANDLE ROAD | ENTRY PROCESSIONAL BANNERS | POLE MOUNTED | 6'-0" | 2'-0" | 16'-0" | 12 | SF | No | |
| A115 | NORTH PANHANDLE ROAD | ENTRY PROCESSIONAL BANNERS | POLE MOUNTED | 6'-0" | 2'-0" | 16'-0" | 12 | SF | No | |
| A116 | NORTH PANHANDLE ROAD | ENTRY PROCESSIONAL BANNERS | POLE MOUNTED | 6'-0" | 2'-0" | 16'-0" | 12 | SF | No | |
| A117 | NORTH PANHANDLE ROAD | ENTRY PROCESSIONAL BANNERS | POLE MOUNTED | 6'-0" | 2'-0" | 16'-0" | 12 | SF | No | |
| A118 | NORTH PANHANDLE ROAD | ENTRY PROCESSIONAL BANNERS | POLE MOUNTED | 6'-0" | 2'-0" | 16'-0" | 12 | SF | No | |
| A119 | NORTH PANHANDLE ROAD | ENTRY PROCESSIONAL BANNERS | POLE MOUNTED | 6'-0" | 2'-0" | 16'-0" | 12 | SF | No | |
| A1110 | NORTH PANHANDLE ROAD | ENTRY PROCESSIONAL BANNERS | POLE MOUNTED | 6'-0" | 2'-0" | 16'-0" | 12 | SF | No | |
| A1111 | NORTH PANHANDLE ROAD | ENTRY PROCESSIONAL BANNERS | POLE MOUNTED | 6'-0" | 2'-0" | 16'-0" | 12 | SF | No | |
| A1112 | NORTH PANHANDLE ROAD | ENTRY PROCESSIONAL BANNERS | POLE MOUNTED | 6'-0" | 2'-0" | 16'-0" | 12 | SF | No | |
| A1301 | NORTH ENTRY GATE | ENTRY GATES | CANOPY | 3'-0" | 30'-0" | 10'-0" | 188 | SF | Yes | |
| A1302 | NORTH WEST ENTRY GATE | ENTRY GATES | CANOPY | 3'-0" | 30'-0" | 10'-0" | 186 | SF | Yes | |
| A1303 | SOUTH WEST ENTRY GATE | ENTRY GATES | CANOPY | 3'-0" | 30'-0" | 10'-0" | 188 | SF | Yes | |
| I011 | NORTH ELEVATION | GRAPHIC/SCULPTURAL FAÇADE | WALL | 30'-0" | 50'-0" | 20'-0" | 1,500 | SF | No | |
| I012 | NORTH BOWL ELEVATION | GLASS GRAPHIC | WALL | 30'-0" | 235'-0" | 21'-0" | 7,000 | SF | No | |
| I013 | SOUTH ELEVATION | GRAPHIC | WALL | 24'-0" | 84'-0" | 21'-0" | 2,016 | SF | No | |
| I021 | EAST ELEVATION | STADIUM NAMING ID | WALL | 8'-8" | 100'-0" | 50'-0" | 800 | SF | No | |
| I031 | WEST ROOF TOP | AERIAL VIEW STADIUM ID | WALL | 40'-0" | 400'-0" | 21'-0" | 16,000 | SF | No | |

| | | | | | | | | |
|-------|-----------------------|------------------------|----------------|--------|--------|--------|----------|-----|
| B1.1 | NORTH PARKING LOT | PARKING ENTRY ID | PYLON | 10'-0" | 2'-0" | 10'-0" | 20 SF | Yes |
| B1.2 | NORTH PARKING LOT | PARKING ENTRY ID | PYLON | 10'-0" | 2'-0" | 10'-0" | 20 SF | Yes |
| B1.3 | EAST PARKING LOT | PARKING ENTRY ID | PYLON | 10'-0" | 2'-0" | 10'-0" | 20 SF | Yes |
| B1.4 | SOUTH PARKING LOT | PARKING ENTRY ID | PYLON | 10'-0" | 2'-0" | 10'-0" | 20 SF | Yes |
| B1.5 | SOUTH PARKING LOT | PARKING ENTRY ID | PYLON | 10'-0" | 2'-0" | 10'-0" | 20 SF | Yes |
| B1.5 | LOADING DOCK | PARKING ENTRY ID | PYLON | 10'-0" | 2'-0" | 10'-0" | 20 SF | Yes |
| B2.1 | BURNET ACCESS RD. | VEHICULAR DIRECTIONAL | PYLON | 10'-0" | 2'-0" | 10'-0" | 20 SF | Yes |
| B2.2 | BURNET ACCESS RD. | VEHICULAR DIRECTIONAL | PYLON | 10'-0" | 2'-0" | 10'-0" | 20 SF | Yes |
| B2.3 | PAN HANDEL ACCESS RD. | VEHICULAR DIRECTIONAL | PYLON | 10'-0" | 2'-0" | 10'-0" | 20 SF | Yes |
| B2.4 | BRAKER ACCESS RD. | VEHICULAR DIRECTIONAL | PYLON | 10'-0" | 2'-0" | 10'-0" | 20 SF | Yes |
| B2.5 | McKALLA PL. | VEHICULAR DIRECTIONAL | PYLON | 10'-0" | 2'-0" | 10'-0" | 20 SF | Yes |
| B3.1 | LOADING DOCK | LOADING DOCK ID | WALL | 12'-0" | 12'-0" | 4'-0" | 144 SF | No |
| B3.2 | LOADING DOCK | LOADING DOCK ID | WALL | 12'-0" | 12'-0" | 4'-0" | 144 SF | No |
| B3.3 | LOADING DOCK | LOADING DOCK ID | WALL | 12'-0" | 12'-0" | 4'-0" | 144 SF | No |
| B3.4 | LOADING DOCK | LOADING DOCK ID | WALL | 12'-0" | 12'-0" | 4'-0" | 144 SF | No |
| B3.5 | LOADING DOCK | LOADING DOCK ID | WALL | 12'-0" | 12'-0" | 4'-0" | 144 SF | No |
| B3.6 | LOADING DOCK | LOADING DOCK ID | WALL | 12'-0" | 12'-0" | 4'-0" | 144 SF | No |
| B3.7 | LOADING DOCK | LOADING DOCK ID | WALL | 16'-0" | 20'-0" | 4'-0" | 320 SF | No |
| B3.8 | LOADING DOCK | LOADING DOCK ID | WALL | 18'-0" | 12'-0" | 4'-0" | 192 SF | No |
| B4.1 | LOADING DOCK | LOADING DOCK CLEARANCE | WALL | 3'-0" | 26'-0" | 16'-0" | 74 SF | No |
| B5.1 | NORTH PARKING LOT | PARKING LOT ID | POLE MOUNTED | 6'-0" | 2'-0" | 16'-0" | 12 SF | No |
| B5.2 | NORTH PARKING LOT | PARKING LOT ID | POLE MOUNTED | 6'-0" | 2'-0" | 16'-0" | 12 SF | No |
| B5.3 | NORTH PARKING LOT | PARKING LOT ID | POLE MOUNTED | 6'-0" | 2'-0" | 8'-0" | 12 SF | No |
| B5.4 | NORTH PARKING LOT | PARKING LOT ID | POLE MOUNTED | 6'-0" | 2'-0" | 8'-0" | 12 SF | No |
| B5.5 | NORTH PARKING LOT | PARKING LOT ID | POLE MOUNTED | 6'-0" | 2'-0" | 8'-0" | 12 SF | No |
| B5.6 | NORTH PARKING LOT | PARKING LOT ID | POLE MOUNTED | 6'-0" | 2'-0" | 8'-0" | 12 SF | No |
| B5.7 | NORTH PARKING LOT | PARKING LOT ID | POLE MOUNTED | 6'-0" | 2'-0" | 8'-0" | 12 SF | No |
| B5.8 | NORTH PARKING LOT | PARKING LOT ID | POLE MOUNTED | 6'-0" | 2'-0" | 8'-0" | 12 SF | No |
| B5.9 | EAST PARKING LOT | PARKING LOT ID | POLE MOUNTED | 6'-0" | 2'-0" | 68'-0" | 12 SF | No |
| B5.10 | EAST PARKING LOT | PARKING LOT ID | POLE MOUNTED | 6'-0" | 2'-0" | 68'-0" | 12 SF | No |
| B5.11 | EAST PARKING LOT | PARKING LOT ID | POLE MOUNTED | 6'-0" | 2'-0" | 68'-0" | 12 SF | No |
| B5.12 | SOUTH PARKING LOT | PARKING LOT ID | POLE MOUNTED | 6'-0" | 2'-0" | 68'-0" | 12 SF | No |
| B5.13 | SOUTH PARKING LOT | PARKING LOT ID | POLE MOUNTED | 6'-0" | 2'-0" | 68'-0" | 12 SF | No |
| B5.14 | SOUTH PARKING LOT | PARKING LOT ID | POLE MOUNTED | 6'-0" | 2'-0" | 68'-0" | 12 SF | No |
| B5.15 | SOUTH PARKING LOT | PARKING LOT ID | POLE MOUNTED | 6'-0" | 2'-0" | 68'-0" | 12 SF | No |
| B5.16 | SOUTH PARKING LOT | PARKING LOT ID | POLE MOUNTED | 6'-0" | 2'-0" | 68'-0" | 12 SF | No |
| B5.17 | SOUTH PARKING LOT | PARKING LOT ID | POLE MOUNTED | 6'-0" | 2'-0" | 68'-0" | 12 SF | No |
| B5.18 | SOUTH PARKING LOT | PARKING LOT ID | POLE MOUNTED | 6'-0" | 2'-0" | 60'-0" | 12 SF | No |
| B5.19 | SOUTH PARKING LOT | PARKING LOT ID | POLE MOUNTED | 6'-0" | 2'-0" | 60'-0" | 12 SF | No |
| B5.20 | SOUTH PARKING LOT | PARKING LOT ID | POLE MOUNTED | 6'-0" | 2'-0" | 80'-0" | 12 SF | No |
| B5.21 | SOUTH PARKING LOT | PARKING LOT ID | POLE MOUNTED | 6'-0" | 2'-0" | 80'-0" | 12 SF | No |
| B5.22 | SOUTH PARKING LOT | PARKING LOT ID | POLE MOUNTED | 6'-0" | 2'-0" | 80'-0" | 12 SF | No |
| B5.23 | SOUTH PARKING LOT | PARKING LOT ID | POLE MOUNTED | 6'-0" | 2'-0" | 8'-0" | 12 SF | No |
| C1.1 | NORTHWEST PLAZA | PEDESTRIAN DIRECTIONAL | PYLON | 10'-0" | 2'-0" | 10'-0" | 20 SF | Yes |
| C1.2 | SOUTHWEST PLAZA | PEDESTRIAN DIRECTIONAL | PYLON | 10'-0" | 2'-0" | 10'-0" | 20 SF | Yes |
| C1.3 | NORTHEAST PLAZA | PEDESTRIAN DIRECTIONAL | PYLON | 10'-0" | 2'-0" | 10'-0" | 20 SF | Yes |
| C2.1 | WEST ACCESS RD. | PEDESTRIAN DIRECTIONAL | PYLON | 8'-0" | 2'-0" | 8'-0" | 16 SF | No |
| C2.2 | EAST ACCESS RD. | PEDESTRIAN DIRECTIONAL | PYLON | 8'-0" | 2'-0" | 8'-0" | 16 SF | No |
| C2.3 | EAST ELEVATION | PEDESTRIAN DIRECTIONAL | PYLON | 8'-0" | 2'-0" | 8'-0" | 16 SF | No |
| C2.4 | EAST ACCESS RD. | PEDESTRIAN DIRECTIONAL | PYLON | 8'-0" | 50'-0" | 8'-0" | 16 SF | No |
| D1.1 | NORTH PLAZA | DIGITAL DISPLAY | DIGITAL SCREEN | 24'-0" | 84'-0" | 60'-0" | 2,016 SF | Yes |

Figure 4.5 Growth Concept Map

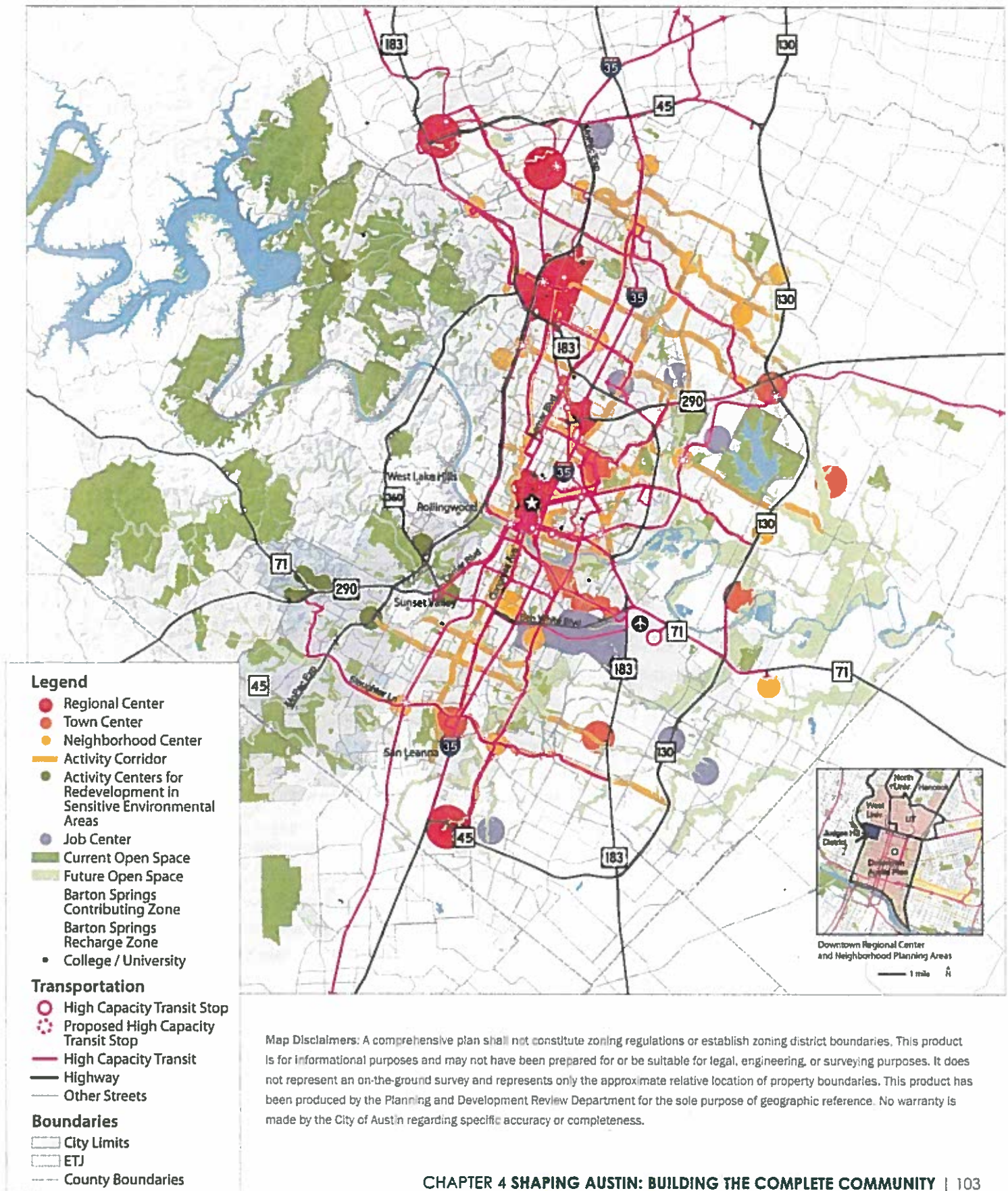


Figure 1 - 2 : North Burnet / Gateway (NBG) Zoning District
Subdistrict Map

Attachment C

Revised 8-28-2014

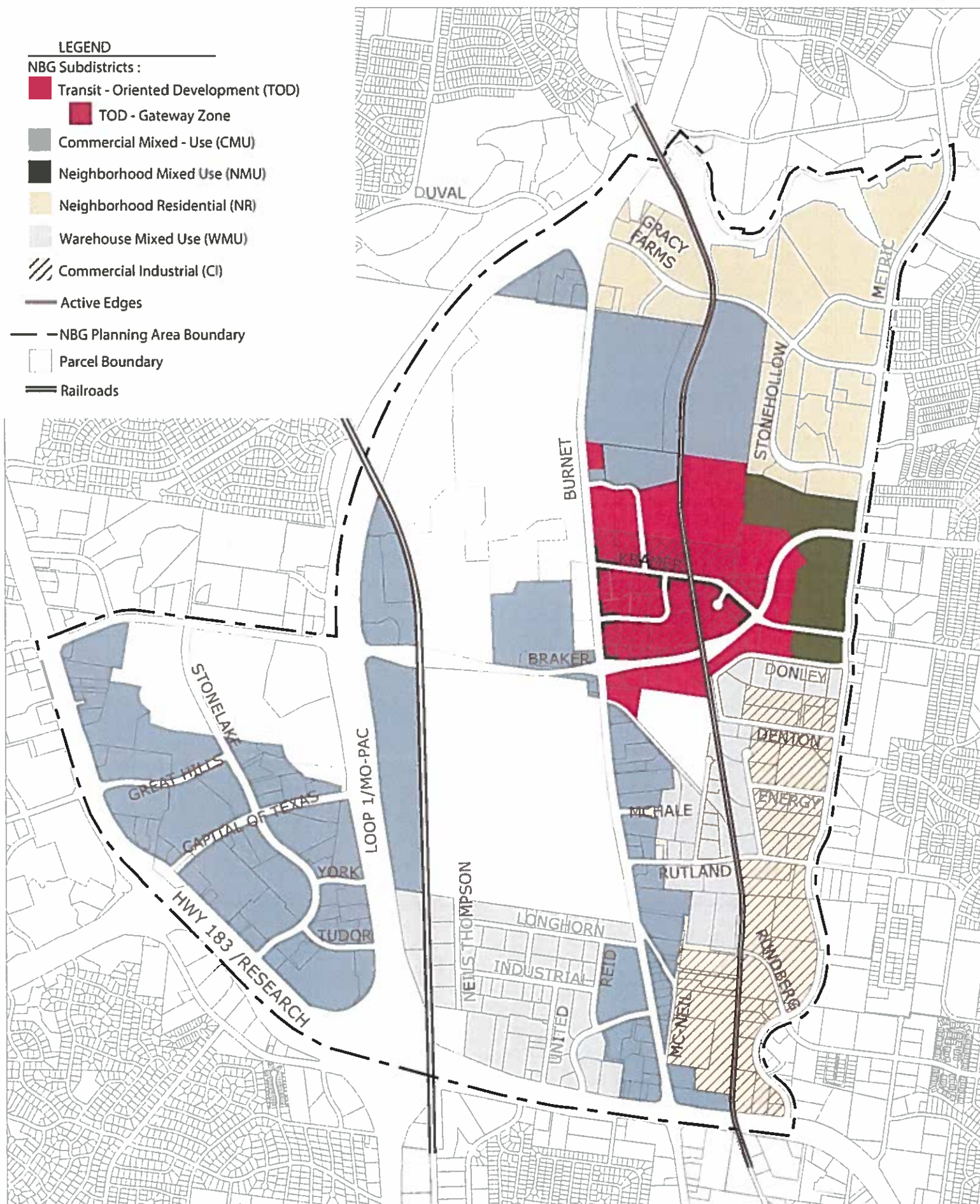
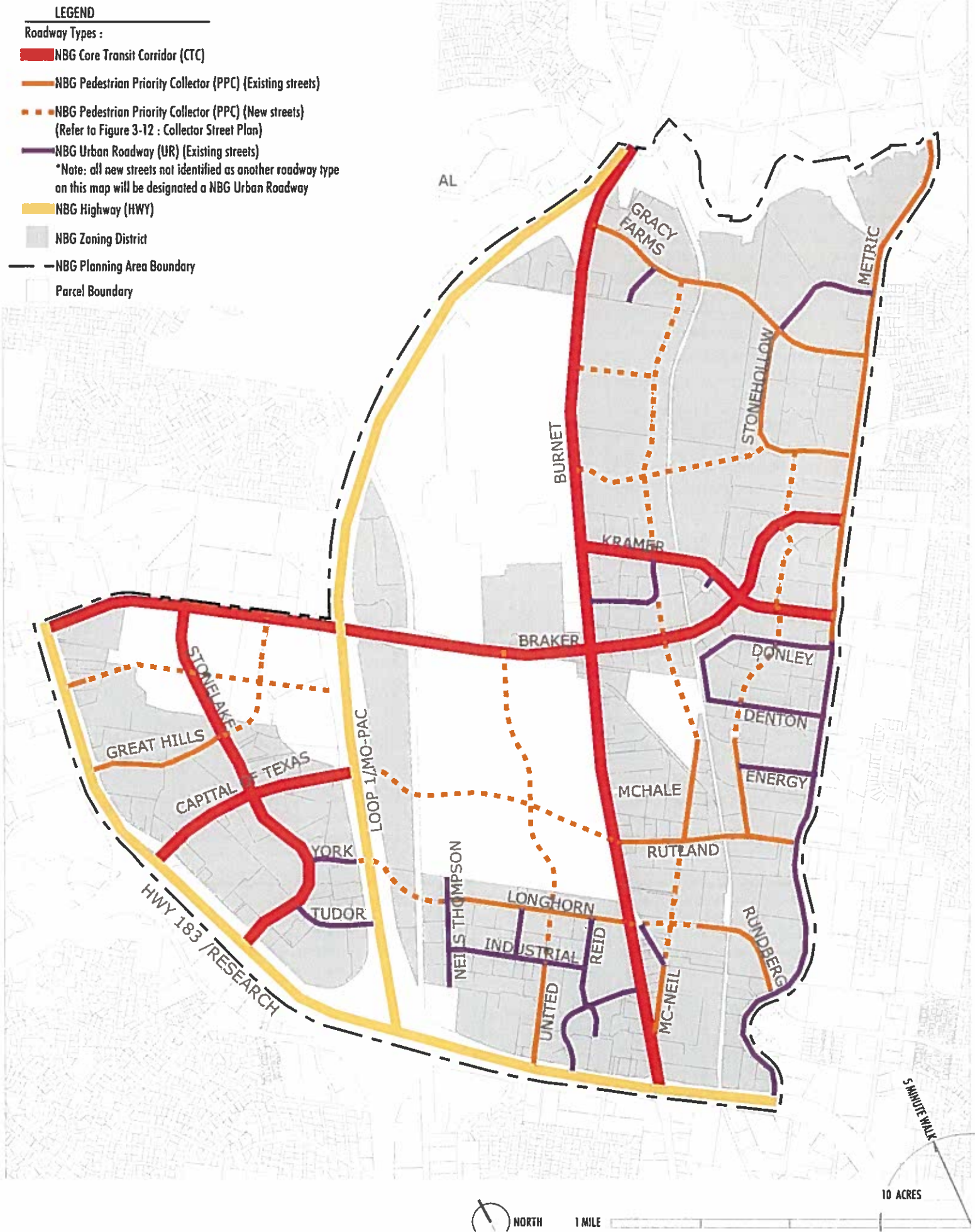


Figure 1-3 : North Burnet / Gateway (NBG) Zoning District - Roadway Types Map

Attachment D



Sirwaitis, Sherri

Subject: FW: 2019-036883 ZC (Austin FC)

-----Original Message-----

From: Brandon Farmahini <>
Sent: Thursday, May 9, 2019 11:19 AM
To: Sirwaitis, Sherri <Sherri.Sirwaitis@austintexas.gov>
Subject: Re: 2019-036883 ZC (Austin FC)

Thank you Sherri,

I would like to log my support for this rezone. I think it represents a substantial and unique opportunity to bring joy and a spirit of comradery among the people of Austin and I think the deal they worked out with the city was very fair.

> On May 9, 2019, at 11:06 AM, Sirwaitis, Sherri <Sherri.Sirwaitis@austintexas.gov> wrote:
>
> Hi Mr. Farmahini,
>
> This case is scheduled for the May 14, 2019 Planning Commission meeting. Please see the attached Notice of Public Hearings. This notice was sent out to all property owners, renters and registered neighborhood associations within 500 feet of the proposed rezoning area.
>
> Thank you,
>
>
> Sherri Sirwaitis
> City of Austin
> Planning & Zoning Department
> sherri.sirwaitis@austintexas.gov
> 512-974-3057(office)
>
>
>
> -----Original Message-----
> From: Brandon Farmahini <>
> Sent: Wednesday, May 8, 2019 9:39 AM
> To: Sirwaitis, Sherri <Sherri.Sirwaitis@austintexas.gov>
> Subject: 2019-036883 ZC (Austin FC)
>
> Hi Sherri,
>
>
> Will the Austin FC rezone be on the agenda for the May 28th Zoning and Platting Commission meeting?
>
>
> Thank you!
> <PH Notice for C14-2019-0055.pdf>

Sirwaitis, Sherri

Subject: FW: Details on Agenda Item 22: C14-2019-0055
Attachments: Traffic-Map-2019.pdf; McKalla-map.png; 2019-05-06_2309-flood-19.png

From: Francoise Luca <>
Sent: Monday, May 13, 2019 12:25 AM
To: Burkhardt, William - BC <bc-William.Burkhardt@austintexas.gov>; Flores, Yvette - BC <bc-Yvette.Flores@austintexas.gov>; BC-Conor.Kenney@austintexas.gov; Shieh, James - BC <bc-James.Shieh@austintexas.gov>; Kazi, Faye - BC <bc-Faye.Kazi@austintexas.gov>; Thompson, Jeffrey - BC <bc-Jeffrey.Thompson@austintexas.gov>; Seeger, Patricia - BC <bc-Patricia.Seeger@austintexas.gov>; BC-Awais-Azhar@austintexas.gov; Shaw, Todd - BC <BC-Todd.Shaw@austintexas.gov>; Howard, Patrick - BC <BC-Patrick.Howard@austintexas.gov>; Schneider, Robert - BC <BC-Robert.Schneider@austintexas.gov>; Anderson, Greg - BC <bc-Greg.Anderson@austintexas.gov>; McGraw, Karen - BC <bc-Karen.McGraw@austintexas.gov>; Teich, Ann - BC <BC-Ann.Teich@austintexas.gov>; Schissler, James - BC <bc-James.Schissler@austintexas.gov>
Cc: Rusthoven, Jerry <Jerry.Rusthoven@austintexas.gov>; Sirwaitis, Sherri <Sherri.Sirwaitis@austintexas.gov>
Subject: Details on Agenda Item 22: C14-2019-0055

Dear Planning Commissioners,

I am a member of the Gracywoods Neighborhood Association, which has overlapping boundaries to the North Burnet Road Gateway Neighborhood Planning area, and I'm writing to you today to oppose this zoning case.

As Greg Guernsey can attest, I was one of many North Austin neighborhood volunteers who worked on the North Burnet Road Gateway plan for two years back in 2005-2007. We went through the process of developing the FLUM for the area. We carefully considered each parcel land, many of which were then vacant land and worked with the property owners and developers on the final community vetted - and City of Austin approved plan.

The McKalla site is unique in many ways. It is public land. It is landlocked and has very limited frontage on McKalla Place road. There isn't even an entrance to the site off of that one-lane road! This was because of a special agreement that the City of Austin made with the neighbors when they purchased the land. The property owners on McKalla Place road did not want the Water Utility trucks to add congestion to their narrow road, so they reached an agreement to use the alley behind Discount Tires instead. Thus there has never been a driveway into that site from McKalla Place road.

The McKalla site also has a narrow strip of access to the Redline Metro Rail. This is why McKalla was designated as the #1 site for a transit-oriented housing and mixed-use development by the City of Austin.

The McKalla site is also unique in its environmental features. It sits lower than the surrounding properties and carries the runoff water from its neighbors. (Just do a google search for 10414 and you can see the green borders around the site, where the water accumulates and encourage native trees and plant growth.) It also has a wetland feature

cataloged by the Army Corps of Engineers in the National Wetland Registry maps. The water table at the site is rather high, and it is presumed that there is a perched aquifer under the site. And McKalla is also the headwaters of the Little Walnut Creek watershed. Recently, city biologists certified there was a natural spring just east of the property that feeds into the creek that flows toward the Quail Hollow neighborhood.

Because of all of these unique features, the North Burnet Road Gateway plan deemed that the majority of this site should be preserved as parkland and open green space to give new area residents access to parkland, as prescribed by the Imagine Austin plan. We even documented this desire in the plan and you can clearly see the mixed-use housing developments would surround the McKalla park in the neighborhood plan. See the attached exhibit from the North Burnet Road Neighborhood Plan.

Bottom line: **This site should not be zoned to allow for 85% impervious cover.**

Another reason I oppose this zoning case is because there is NO traffic impact analysis included with this application. Our municipal code requires that all major zoning cases include a TIA. It is unacceptable that the applicant, cannot demonstrate how they will handle the pedestrian and vehicle traffic for over 22,000 visitors to this site. It is unacceptable to wait until "substantial completion" to address this grave issue. And it is unacceptable to give this applicant an exception to the municipal code requirement of presenting a TIA with the zoning case. (Future applicants will expect similar allowances and this will undermine the entire zoning process.)

I have attached a very basic traffic map of the area, and it is obvious that all the traffic from this site will be forced into residential roadways and areas. The congestion to the entire North Austin area will be horrific and probably back up Burnet, Braker, Metric, Rundberg, Lamar, Highway 183, MoPac, Duval, Parmer and of course IH 35. We must know exactly how traffic generated from this venue will be handled BEFORE and zoning changes are granted.

I know as commissioners you are volunteers and very busy, and may not have had the time to study this case. ***However, if you have not personally visited this site and seen the traffic conditions, you must not pass judgment on this case until you fully understand the reality of this site.***

Please take the time to visit the McKalla site in person. I will gladly meet you and give you a tour of the area. As I said earlier, this is a unique site, and because it is "our" City-owned land, it is very important that it be carefully evaluated before any land use and zoning decision are made.

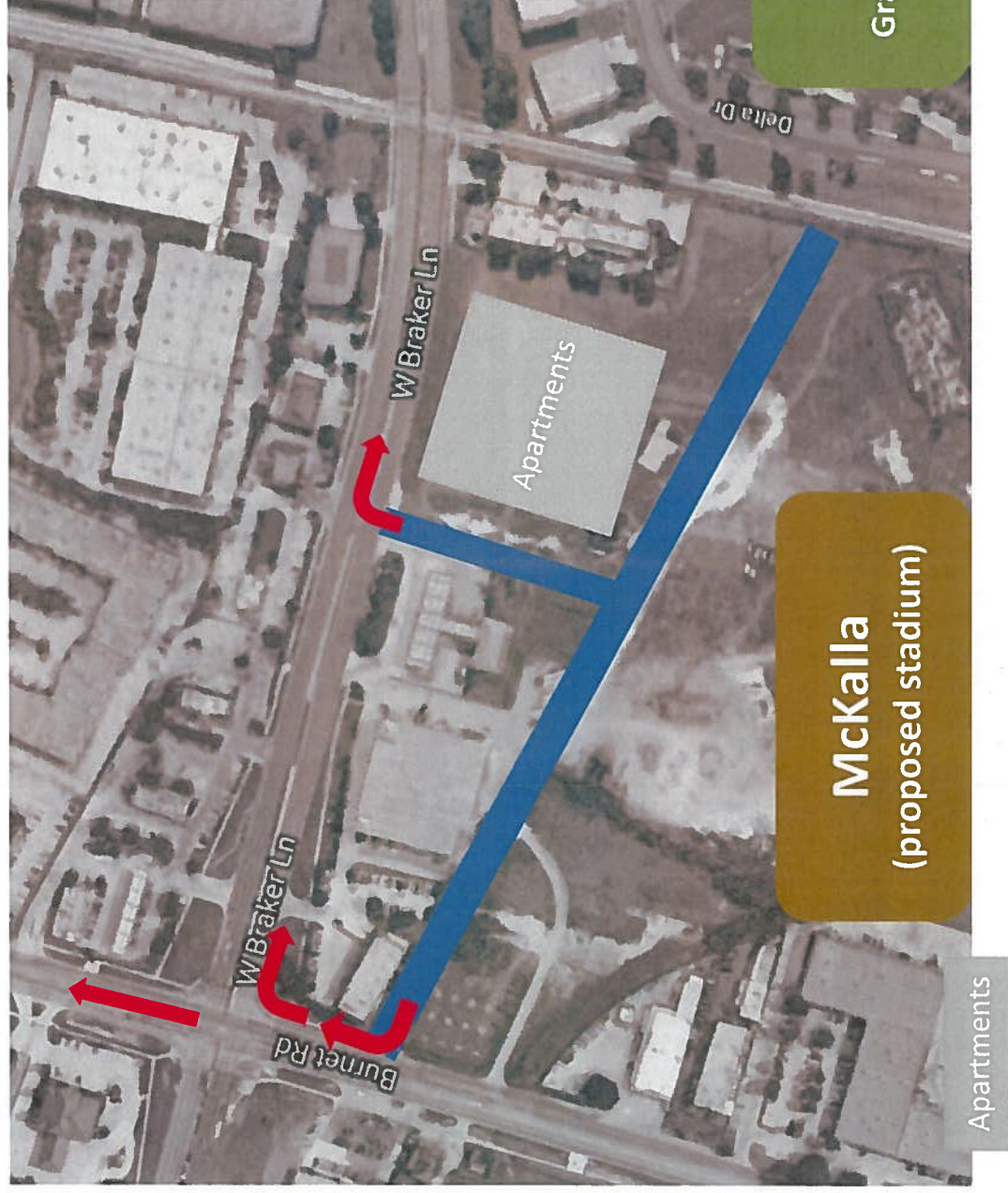
By the way, there is no hurry in this case despite what the lobbyists for the applicant may tell you. See page 13, Section 8.1.9 of the stadium Lease Agreement - "Project Start date on or before December 31, 2019".

Please let me know if I can provide you any other background information on this site or give you a tour of the neighborhood.

Sincerely,
Francoise Luca

Gracywoods Neighborhood Association, President 2019
512-923-7663

Vehicle traffic concerns



Estimated Attendance

- 22,000 visitors
- 1000 cars (2500 people)
- 500 bikes (500 people)
- 4000 Ride Share (16,000 people)
- 60 buses (300 people)

Transportation Problems

- **Right Turns only** (due to exit locations being too close to intersections, medians and proximity to the rail line.)
- None or Limited bike lanes
- No dedicated bus lanes
- No ride share staging options
- Traffic dumps into neighborhood
- Not enough sidewalks on Burnet

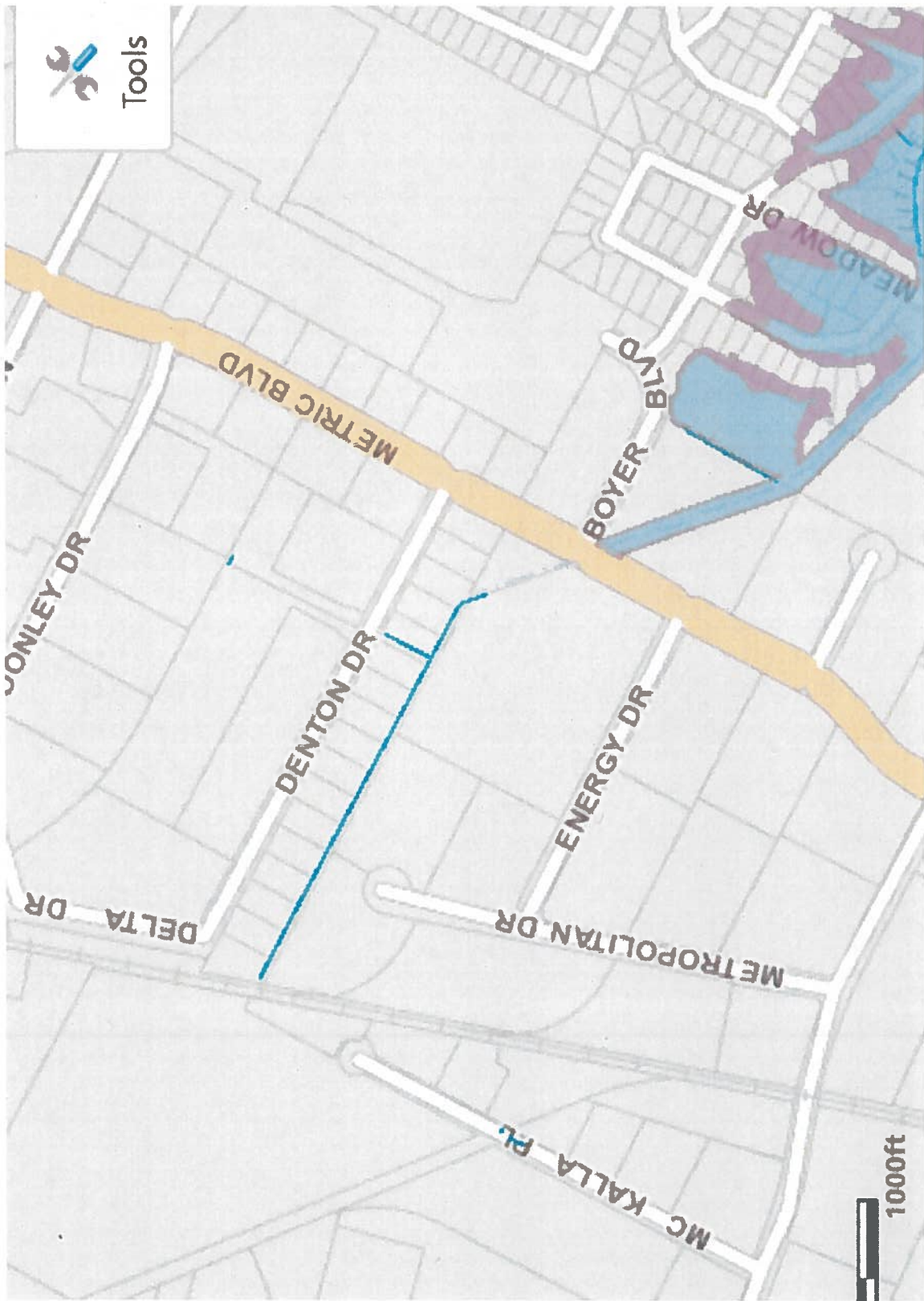
North Austin Civic Association
Gracywoods Neighborhood Association

from the North Burnet/ Gateway Master Plan, adopted Nov. 1, 2007.

LEGEND

- CONCEPTUAL BUILDING MASSING FOR RE-DEVELOPMENT
- CONCEPTUAL LOCATIONS FOR DISTRIBUTED PARKS AND OPEN SPACE
- EXISTING BUILDINGS
- LOCATION OPTIONS FOR POSSIBLE FUTURE RAIL STATIONS
(These are conceptual locations, Capital Metro and MACTCO have not yet selected the final station locations)

The map shows a dense urban area with a grid of streets. A red dashed line indicates a proposed rail corridor running diagonally from the bottom left towards the top right. Two red dashed ovals mark potential future rail station locations: one near the intersection of Braker Ln and McKalla, and another further east near the intersection of Braker Ln and McKalla. The map is color-coded: brown for existing buildings, green for conceptual parks and open space, and light gray for conceptual building massing for re-development. A red arrow points to a specific location on McKalla, labeled 'McKalla' in a red box. Street names visible include Braker Ln, McKalla, and Burnet Rd.



PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:
www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2019-0055

Contact: Sherri Sirwaitis, 512-974-3057

**Public Hearing: May 14, 2019, Planning Commission
June 6, 2019, City Council**

G.D.T. & D. Ltd.

Your Name (please print)

10401 Burnet Rd.

Your address(es) affected by this application

[Signature]

Signature

05-16-19

Date

Daytime Telephone:

713-641-6628

Comments:

*Our concerns are about
traffic.*

| |
|--|
| <input checked="checked" type="checkbox"/> I am in favor |
| <input type="checkbox"/> I object |

If you use this form to comment, it may be returned to:

City of Austin

Planning & Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:
www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2019-0055

Contact: Sherri Sirwaitis, 512-974-3057

**Public Hearing: May 14, 2019, Planning Commission
June 6, 2019, City Council**

G.B.T. & D. Ltd

Your Name (please print)

10401 Burnet Rd

Your address(es) affected by this application

[Signature]

Signature

05-16-19

Date

Daytime Telephone: 737-641-6628

Comments:

Our concerns are about
traffic.

| |
|--|
| <input checked="checked" type="checkbox"/> I am in favor |
| <input type="checkbox"/> I object |

If you use this form to comment, it may be returned to:

City of Austin

Planning & Zoning Department

Sherri Sirwaitis

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